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ABSTRACT

The Special Child Welfare Advisory Panel of the Annie E. Casey Foundation, created by the 1998 Marisol class action suit, has spent two years examining the work of New York City's Administration for Children's Services (ACS). This panel reviewed the operations of ACS, consulting with caseworkers, managers, lawyers and other advocates, birth parents, and foster families. The settlement agreement assigned the Panel the task of determining whether the ACS was acting in good faith in making efforts toward reform in the operational areas of New York City's child welfare system being reviewed. Part 1 presents an introduction to the issue. Part 2 examines changes in New York City's child welfare system over the past several years, incorporating statistical evidence and an examination of policy, system, and practice changes that have actually been implemented by ACS and contract agencies. Part 3 examines changes that are currently being implemented or planned. It is organized around recommendations and benchmarks in the Panel's prior reports. Part 4 identifies activities that would be most effective in producing further broad, lasting improvements in New York City's child welfare system, identifying two themes around which ACS could build its next set of reform efforts and suggesting concrete actions related to those themes. An appendix presents results from a questionnaire concerning front line and supervisory practice. (SM)

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ED 450 171

THE SPECIAL CHILD WELFARE ADVISORY PANEL FINAL REPORT

December 7, 2000

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W.J. Rust
Annie E. Casey Foundation

Following is a copy of the Panel's letter accompanying the report, as it was submitted to U.S. District Judge Robert Ward.

December 6, 2000

Hon. Robert Ward
United States District Court
40 Centre Street
New York, NY 10013

Dear Judge Ward:

The accompanying document is the Final Report of the Advisory Panel established under the stipulation of settlement in *Marisol v. Giuliani*. In this report, we review, in the context of the Panel's recommendations, the work done by the Administration for Children's Services over the past two years. We also look to the future, and suggest those further actions by ACS that we believe would do most to improve prospects for children and families.

We hope it will be useful to provide you with some context and background regarding the conclusions we draw in the report, and then to comment more broadly on our experience as Panel members.

The Panel's Conclusions

The settlement agreement assigned us the task of determining whether "...considering all the applicable circumstances, ACS is acting in good faith in making efforts towards reform in the operational areas being reviewed." It required us to consider good faith broadly, taking into account the legal and operational constraints ACS faces. We were instructed not to draw conclusions based "solely" on whether ACS implements specific Panel recommendations or its timeliness in doing so, but encouraged to consider these factors among others.

We are not lawyers, and we do not presume to define the term "good faith," but we think it important to convey to you how we understood this task.' On one hand, we thought that, for this settlement to be a meaningful document that truly reflected the parties' mutual intention of furthering child welfare reform in New York City, "good faith" had to mean more than simply hard work and honest intentions. On the other hand, we had to recognize that "good faith" is a standard that stops short of demanding that significant, observable improvements already be in place in each of the areas studied by the time the settlement agreement expires on December 15, 2000.

Our thinking in this regard was further influenced by the limited, two-year time span of the settlement. It is our universal experience that change in large, complicated bureaucratic systems takes a long time to accomplish. Many of us have spent years trying to improve systems far smaller than New York City's. Our experience leaves us with both a passionate conviction that it is possible to make child welfare systems much, much better, and a sense of humility about the magnitude of the effort required and how long it can take to see results. While two years was certainly sufficient time for us to come to an understanding about ACS's good faith in pursuing change, we understood from the beginning of our work that it was a very brief period in which to attempt to draw fair conclusions about the long-term impact of New York's reform efforts.

This is so especially because of the kind of change we hoped to promote. In many child welfare systems, change efforts have taken the form of crisis response. Too often, well-intentioned attempts to quickly remedy longstanding, serious problems have failed to get at the roots of those problems, and change has proved short-lived. One of the things that made us willing to take on this work in New York was the sense that a much deeper and more sustained effort at reform might be possible here. Accordingly, in many instances we have encouraged ACS to take actions that we believe will produce very substantial benefits, but whose effects are not likely to be felt immediately. In these areas (to cite just a few examples, improvements in training, supervision, evaluation systems, financing, the use of data, and the clear communication of values and policies), major change takes significant time to realize, but with potentially far greater payoff than activities that can be accomplished more quickly would produce.

Accordingly, as we examined the question of good faith, we asked ourselves questions like the following. To what extent has ACS identified, both on its own initiative and with the Panel's assistance, the key changes needed to reform this system? How quickly and how thoroughly has it responded to each of these needs? How relevant have its responses been? To what extent has it secured the resources needed to make change possible? How thoroughly has it communicated its vision of change and worked to influence other key stakeholders whose actions are also essential to the reform effort?

We have concluded that ACS has acted in good faith in each of the areas reviewed by the Panel. The facts that led us to these conclusions are detailed in the report, and we will not repeat them here, but we think that two general observations are warranted.

First, we are unanimously convinced that the breadth and pace of ACS's reform efforts are themselves compelling evidence of good faith. In reviewing ACS's responses to many specific Panel recommendations, we do not want to lose site of the big picture. For most child welfare systems, it would be a very daunting proposition to reconfigure services along neighborhood lines, or to thoroughly overhaul the management of child protective services, or to dramatically increase the amount of training available to staff, or to reform civil service titles and substantially increase salaries for staff and supervisors, or to significantly change reimbursement and evaluation systems for contract providers, or to undertake family case conferencing at key points throughout the life of a

case. ACS has taken on all of these challenges, and more, and in our view it has done so with at least deliberate speed in virtually every area.

Second, it would be a very serious misreading of our Final Report if these conclusions regarding good faith were read as a judgment that this system has been fixed. In our view, ACS has made remarkable progress in many areas that must be changed if children and families are to have a better experience. The reforms already implemented were necessary, but they are not yet sufficient, to produce that better experience. Throughout this report, we identify critical areas in which we cannot yet observe sufficient change in the front line and supervisory practice that really determines what happens to the citizens who come into contact with New York's child welfare system. In the final section of the report, we identify those further actions we think would make the most difference in translating the many changes already undertaken into real practice improvement.

We believe that this assessment is shared by ACS and by other key stakeholders, and we present it here to reinforce the point that the continued efforts of everyone involved in this reform process over the next several years are absolutely essential to its long-term impact.

The Settlement as a Vehicle for Change

The *Marisol* settlement was an innovative effort to find a constructive solution to a common problem. Plaintiffs believed that, given the long and troubled history of child welfare in New York City, only a court decree could assure the public that real, sustained change would occur. Defendants believed that they had made a very substantial commitment to reform, and that the burden of trying a complex case, and perhaps of complying with a traditional settlement decree, would do more to impede than to advance their efforts. In our view, both parties deserve a great deal of credit for thinking their way out of this box and deciding on a promising but untested approach that revolved around the creation of this Panel.

We are, of course, not disinterested observers; our reflections on the work of the past two years necessarily risk being self-serving. Nevertheless, we think it worthwhile to report that we believe that the experiment has been a useful and, on the whole, a successful one. We say this because we believe that we have largely been able to carry out both of the complex and sometimes conflicting roles the settlement called on us to play.

First, of course, we were to advise ACS on how best to carry forward its reform efforts. In our view, ACS's leaders have been open to influence throughout this process. We believe that the effects of our continuing conversation with them can be felt both in areas where important reform efforts that might otherwise not yet have been addressed are now underway, as well as in areas where the pace and complexity of ACS's reform efforts have increased.

Second, the Panel has held the weighty responsibility of being a voice of public accountability for reform. In this role, we have met widely with stakeholders throughout

the system; have distributed our reports to everyone we could identify with an interest in them; and have tried to be as specific as possible in formulating recommendations concrete enough to permit the public, not just this Panel, to make informed judgments about ACS's efforts. We have also continually encouraged ACS to report data concerning its goals and the actual performance of the system, and to distribute this information as widely as possible. We hope that these efforts have had some impact in building public confidence in the prospects for change in New York City.

It has been a privilege to take part in this work, and we conclude with our thanks – to this Court; to all of those who have informed us and otherwise assisted the Panel over the past two years; and most of all to everyone involved in the difficult, frustrating, essential, and we believe ultimately rewarding struggle to improve child welfare in New York City.

Sincerely,

Douglas W. Nelson Carol Wilson Spigner
Paul Vincent
Judith Goodhand John Mattingly

FINAL REPORT

December 7, 2000

Part I: Introduction and Background

This is the final report of the Special Child Welfare Advisory Panel, a body created to advise New York City's Administration for Children's Services (ACS) on how best to further reform of the City's child welfare system. The Panel was created as part of the settlement of litigation against the City (*Marisol v. Giuliani*), and the settlement agreement required it to carry out two sets of tasks.

First, the Panel was asked to develop Initial Reports addressing five specific aspects of child welfare in New York. It has done so in four reports: on permanency (issued February 11, 1999); on the placement of children in foster care (May 21, 1999); on monitoring and improving the performance of contract agencies (October 14, 1999); and, combining two topics in one report, on front line and supervisory practice (March 9, 2000). Each report contains the Panel's analysis of the critical issues related to the topic, along with recommendations for specific actions and proposed timetables for their completion.

The second set of Panel activities is a set of Periodic Reports, which gauge ACS's progress in these same areas. The Panel has issued three such reports: #1, addressing permanency (November 10, 1999); #2, addressing placement (May 18, 2000); and #3, addressing contract agency issues (August 31, 2000). Each of these reports contains benchmarks for further improvements, again with recommended timeframes.

The *Marisol* agreement terminates on December 15, 2000. Accordingly, we will, in this report, review all of the subjects covered in our Initial and Periodic Reports. The balance of this document is organized as follows.

- In Part II, we examine changes in New York City's child welfare system over the past several years. Our review incorporates both statistical evidence and an examination of those policy, system, and practice changes that have actually been implemented by ACS and contract agencies.
- In Part III, we examine those further changes that are currently being implemented or planned. This section is organized around the recommendations and benchmarks in the Panel's prior reports, and it includes an evaluation of ACS's progress in each area. In some areas, we suggest further benchmarks that the public can use to gauge improvement over the next year. Part III also contains, as required by the *Marisol* settlement, the Panel's conclusions about ACS's good faith in carrying forward system reform in each of the report areas.
- In Part IV, we step back from this detailed review and identify those activities we believe would be most effective in producing further broad, lasting improvements in New York City's child welfare system. Here we identify two themes around which we believe ACS could usefully build its next set of reform efforts, and we suggest specific, concrete actions related to those themes.
- Finally, a brief Appendix presents the results from a questionnaire concerning front line and supervisory practice.

The Panel gathered information for this report between August and November, 2000, from the following sources:

- an extensive review of data, policies, procedures, and practice manuals provided by ACS;
- review of audits of ACS performance, and reports on aspects of the child welfare system, by other government agencies and advocacy groups;
- meetings with leaders of ACS and contract agencies, at which we reviewed both broad policy directions and the specific actions completed, underway, or planned in the areas addressed by prior Panel reports;
- meetings with supervisory and front line staff of ACS and contract agencies, at which we examined the extent to which the actual day-to-day work of these individuals has changed in the recent past or is now changing;
- meetings with a large number of individuals who are knowledgeable about New York's child welfare system, including parents of children in foster care; leaders of the Family Court; attorneys and social workers who represent children and parents; and advocacy groups;
- observation by Panel members of a significant number of family case conferences and service plan review meetings;
- review of data from a questionnaire distributed by the Panel to approximately 130 of the individuals we met with during the past four months, asking for their impressions about change in key aspects of child welfare system performance.

We have also taken into account, in drawing conclusions in this report, comparisons between the reform effort in New York City and the scope and progress of similar endeavors in other large child welfare systems in the United States.

Throughout this process, we continued to have the full cooperation of ACS in supplying access to materials requested by the Panel and to ACS staff. We express our thanks to ACS leaders and staff, along with the many individuals from contract agencies, the court system, and legal and advocacy organizations, and the birth parents, youth in care, and foster parents, who have provided the Panel with information and guidance over the past two years.

Part II: What Has Changed in New York City's Child Welfare System?

We begin this report with an effort to assess how conditions in New York City's child welfare system are different from the way they were two years ago. Before turning to specifics, we think that two general observations are in order.

First, we believe that ACS has engaged over the past several years in a sustained, intelligent effort to change a complicated and difficult system, presided over by a talented group of leaders that has remained remarkably stable throughout this period. The scope and pace of ACS's reform effort compare favorably to similar efforts we have seen elsewhere in the country, addressing such widely different challenges as civil service reform, training, improved management controls, evaluation of contract providers, neighborhood-based services, family case conferencing, reimbursement systems, and the addition of substantial new resources, among other changes. In each of these areas, ACS and the other stakeholders in this system have much to be proud of. We will spend much of this report identifying those things we believe still need to be done, and that are in some cases absolutely essential, in order to make things better for the children and families who come into contact with ACS and its contract agency partners. The record of accomplishment already compiled should be the public's best evidence that it can demand further change with confidence that it can be accomplished.

Second, ACS had begun a reform effort well before this Panel came onto the scene, some of which focused on areas such as child protective services that have been outside of our purview. For the past two years, we have tried to assist ACS to broaden and deepen its reforms in the areas specified by the *Marisol* settlement, by identifying critical issues, proposing improvement goals, and recommending those specific actions we thought most likely to produce change. We devote much of this Final Report to a review of ACS's response to these Panel recommendations. It is therefore especially important to note that there are important accomplishments (for example, civil service changes that make it possible to secure more qualified staff and to compensate them more appropriately, and the improved management of child protective services operations) that pre-date any of our work, and others (for example, family case conferences and the effort to build a neighborhood-based service delivery system) that began earlier and have, we hope, been strengthened by our recommendations.

We now turn to the subjects of each of the Panel's four Initial Reports, and examine relevant data, along with those policy, system, and practice changes that have already been implemented. Our purpose here is to help the reader draw informed conclusions about what has changed significantly, and what has not, during this time.

A. Permanency

1. Policy, System, and Practice Changes Related to Permanency

Principles. ACS has developed principles regarding permanency, meant to guide the efforts of staff throughout the child welfare system. It has disseminated them widely and begun to incorporate them into its training curricula. With these principles, ACS publicly committed itself to the propositions that "all children deserve safe, nurturing, permanent families who can provide an unconditional, lasting commitment to them;" that "a child who can be protected within his or her own family and home with the support of community services should not come into foster care;" that "if placement into foster care is required to ensure a child's safety, the family should be fully engaged in planning for services and the child's safe return home as soon as possible;" and that "preventive and foster care services must be family-focused, culturally and linguistically competent, and accessible in the community," among others.

Neighborhood-based services. ACS has reconfigured most child welfare services along community district (CD) lines. Contracts for foster care, preventive, and homemaking services are now issued by CD, and ACS's protective service workers are also assigned by community. ACS has also developed ambitious targets for the recruitment of foster homes in each community sufficient to allow children coming into care to remain in their own neighborhood. This has been a massive effort, involving the reallocation of hundreds of millions of dollars in contract funds and the reassignment of thousands of staff in ACS and contract agencies. We believe that it is likely to produce many benefits for families and children, by increasing the likelihood that parents will be connected to culturally responsive support services they can readily access, in languages other than English when necessary; helping children in foster care remain in the same school and near parents, relatives, and friends; promoting regular visiting between parents and their children in foster care; and building positive working relationships between the ACS and contract agency staff who serve each neighborhood.

Child Safety Conferences. ACS has instituted Child Safety Conferences, intended to involve parents and all service providers very shortly after placement in deciding what needs to be done to achieve permanency while assuring the child's continued safety. In FY'98 there were no such conferences; in FY'00 there were 3,068, plus an additional 471 "elevated risk" conferences held prior to placement in the hope of averting the need for foster care. By July 2000, ACS held 405 conferences in a single month, of which 93 were for elevated risk. Parents attended 72% of these conferences. In our view, the adoption of this model by ACS has created very important opportunities for better service planning; early engagement of parents and their supports; and improved exchange of the information needed to assist families. The additional conferences being implemented by ACS, described just below, will further strengthen this effort. In Parts III and IV of this report, we provide our thoughts on how to improve the quality of these conferences and make full use of the opportunities they create.

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Family permanency case conferences. ACS has instituted Family Permanency Conferences, to be held within 30 days of placement. These conferences are designed to build upon the work begun at the Child Safety Conference, bringing together the parent and all service providers once again after services have begun and much more is known about the family's situation. ACS began to pilot these conferences at the end of FY'00, and has recently implemented them city-wide.

Discharge case conferences. ACS has instituted family case conferences when children who have entered care because of abuse or neglect are ready to return to their parents. These conferences provide a valuable opportunity to ensure that there is a useful discharge plan, including connections to preventive services where appropriate, that will support the family and decrease the likelihood of renewed problems that might lead to the need for re-entry into foster care. From July through September 2000, 129 such conferences were held; ACS expects that this figure will grow substantially within the next several months.

Service Plan Reviews. ACS has instituted a series of changes designed to make the bi-annual Service Plan Review (SPR) required by State regulations into a much more valuable forum, in which real decisions regarding permanency, safety, services, and visiting take place. It has promulgated Permanency Review Guidelines for use in these forums; trained the staff of its Office of Contract Agency Case Management (OCACM) to play the role of "permanency advocate;"; strongly encouraged increased participation of birth parents in these meetings, and begun to collect and use data on this subject; and, most recently, begun joint training of OCACM and contract agency staff on a new and useful protocol for SPR's. The data collected to date indicate that this effort, while valuable, has not yet produced substantial gains in attendance at SPR's by birth parents, foster parents, and youth in care; for example, birth parents attended 39% of the SPR's held in February, 2000, and 38% of those held in July, 2000. We will return to this subject in the final section of this report.

2. Data Related to Permanency

- The number of children in foster care decreased by 17.9%, from 39,563 at the end of June 1998, to 32,470 at the end of June 2000. The New York City foster care population is now lower than it has been at any time since 1989.
- The number of children admitted to the foster care system decreased by 23.6%, from 12,536 in FY'98[1] to 9,583 in FY'00. (By comparison, the number of new allegations of abuse or neglect decreased by 7.3% during the same time period, from 57,732 in FY'98 to 53,540 in FY'00.)
- The total number of families provided with preventive services at any time during the year decreased by 2.0%, from 18,416 in FY'98 to 18,052 in FY'00. This decline

[1] "FY'98" is New York City Fiscal Year 1998 (July 1, 1997 – June 30, 1998); FY'00 is Fiscal Year 2000 (July 1, 1999 – June 30, 2000). Elsewhere in this report we will use "CY" for data reported on a calendar year basis, e.g. "CY'99" would be January 1, 1999 – December 31, 1999.

appears to be attributable to the changes resulting from the new contracts ACS awarded during Fiscal Year 2000, as some existing providers had to stop opening cases while new programs were not yet up and running. For Fiscal Year 2001, however, ACS has funded a substantial expansion of preventive services. When the new programs are fully functioning, contract providers will have the capacity to serve at any one time 9,945 families in "general" preventive programs, up by 34% from 7,411 in FY'98, and 1,150 families in intensive (Family Rehabilitation) programs, up by 26% from 910 in FY'98.

- ACS's protective services are increasingly likely to refer families for help from contract preventive services programs. In FY'00, contract providers opened 3,147 cases referred by ACS, up 11.2% from 2,829 in FY'98 and by 23.1% from 2,556 in FY'97.
- The number of cases opened by ACS's directly provided Family Preservation Program decreased by 8.4%, from 902 in FY'98 to 826 in FY'00.
- The number of adoptions completed in FY'00 was 3,148, a decrease of 18.4% from 3,860 in FY'98. However, it should be noted that the earlier figure was achieved at the end of a period of very rapid increases in adoptions. From FY'94 to FY'98 the number completed annually rose by 67.0%, from 2,312 to 3,860.
- It is difficult to draw clear conclusions from data concerning the speed with which children are able to leave foster care. The most useful statistics on this topic address the experience of "cohorts" of children entering care (so, for example, they allow a comparison of the proportion of children who entered care in 1998 who were able to leave within one year against the same statistic for children who entered care in earlier years). These data appear to indicate small improvements in discharge rates for several years, a decline in performance for the 1998 entry cohort, and renewed improvement for the 1999 cohort, for which of course only limited information is available.

Year Entered Care	% Who Left Within 6 Months	% Who Left Within 12 Months
1995	29.9%	38.4%
1996	30.2%	39.6%
1997	32.8%	41.6%
1998	29.8%	38.3%
1999	32.7%	data not available

- The data regarding how quickly children who are being adopted move through that process also present a mixed picture. On one hand, the likelihood that these children will have their permanency goal changed to adoption within 18 months of their entry into foster care has decreased slightly over the past two years. In FY'98, 23.7% of children in contract agencies with a goal of adoption, and 8.0% of those in ACS's direct foster care program, had had this goal established within 18 months. In FY'00, the corresponding figures were 23.0% and 7.0%, respectively. On the other hand, once the goal change takes place, the likelihood that the adoption will proceed promptly appears to be increasing. In FY'98, 32.2% of children adopted from contract agencies, and 9.2% of those adopted from ACS's direct foster care, had their adoptions completed within 27 months of the time the adoption goal was set. In FY'00, these figures increased to 37.4% and 21.3%, respectively.

Taken as a whole, we believe that these data give some indication of system-wide progress with regard to permanency, particularly with regard to the declining rate of admissions to foster care coupled with the increasing use of preventive services in cases of abuse or neglect.

B. Placement

1. Policy, System, and Practice Changes Related to Placement

Placement Principles. ACS has developed principles to guide its staff in making placement decisions. The principles commit the organization to placing children whenever possible within their own communities, with siblings, with kin, and in stable and appropriate settings. They also address the need to fully inform parents about their children's placement and the conditions needed for reunification, and to take all possible steps to reduce the trauma experienced by children in the placement process. When fully understood and utilized by staff and supervisors, we believe that these principles will help ACS routinely make better, more thoughtful placement decisions.

Resources Related to Placement and Prevention. Through the RFP process it conducted in 1998 and 1999, ACS funded additional placement and preventive services resources. When all of these programs are fully operational, the additional placement resources will include: an expansion of more than 50% in the therapeutic foster boarding home program; 95 additional congregate care beds for "hard to place" youngsters; 276 additional beds for teen mothers and their young children, an increase of nearly 100% in the prior capacity for this population; 34 additional group care beds for gay, lesbian, and trans-gendered youth, which is also an increase of nearly 100%; and an increase from 155 to 429 beds, or 176%, in the supervised independent living program. Similarly, as noted earlier in this section, ACS committed to a substantial increase in preventive services funding.

Approximately half of the new general preventive services programs, and about one-third of the new Family Rehabilitation programs, have now opened and begun to serve clients, and ACS expects that all remaining programs will be serving clients by March 31, 2001. Most of the additional placement resources are still in development. Two group homes for mothers and babies have already opened, and ACS expects to open a group home and three agency operated boarding homes for gay, lesbian and transgendered youth between December, 2000 and February, 2001. ACS also expects that significant additional resources addressing the broad range of needs identified in the RFP will be in place by June 2001.

Annual Placement Report. ACS has, for the first time in the history of New York City's child welfare system, gathered and publicly disseminated data on the placement experience of children entering the foster care system. The First Annual Placement Report (issued July 2000) addresses such topics as child demographics; placement in

community, with siblings, and with kin; and transfer and re-placement rates. It also addresses basic questions about the equity of the placement process by breaking down certain key data by age, gender, and race/ethnicity. We are concerned by the frequency with which race/ethnicity and religion are recorded as "missing," and will return to this subject in Part III. Nevertheless, we think this report substantially increases the clarity with which the public can understand the system's performance and provides an important foundation for accountability and continued improvement.

Reducing the number of children at the "pre-placement" facility and improving conditions for them. ACS has reorganized its field office operations to permit the nurseries in each borough to remain open until 9 p.m. each night. In August, the most recent month for which data are available, 106 children who would previously have had to travel to Laight Street in Manhattan at the end of the regular business day were able to remain at the field office in their home borough, sparing them the additional trauma involved in having to move between multiple locations under the care of many different individuals while awaiting placement. ACS has also completed construction on, and is about to open, a new Children's Center in Manhattan, which will provide a far more spacious, comfortable, and appropriate environment for children awaiting placement than Laight Street.

2. Data Related to Placement

- For the six month period January-June, 2000, 10.0% of the children placed in non-relative foster boarding homes were kept in their home Community District; 40.2% were placed in a different CD but in their home borough; and 49.8% were placed outside of their borough. ACS began monitoring these statistics recently, as part of its emphasis on neighborhood-based placement, so the earliest available comparative data are for FY'99. The comparison shows that children are significantly more likely than they were a year ago to be placed near their homes: in FY'99, 4.8% remained in their home CD, 26.0% were in a different CD in their home borough, and 69.2% were placed outside of their borough.
- The proportion of children entering foster care who were placed with relatives increased from 16.4% in FY'98 (2,054 children placed with kin out of 12,536 total admissions) to 19.5% in FY'00 (1,868 of 9,583). However, it should be noted that the FY'00 figure represents a decrease from FY'99, when the kinship placement rate reached 20.7% (2,201 of 10,646 admissions). (When considering kinship placements as a percentage of all foster boarding home placements, thus excluding congregate care placements from the analysis, the trends are similar. In FY'98, 21.6% of foster home placements were with relatives; this figure increased to 27.2% in FY'99, and this gain was partly offset by a decrease to 25.3% in FY'00.)
- In FY'99, 7,502 children entered foster care as part of a group of two or more siblings. 53% of these children were placed together with all of their siblings in the same facility; 27% were placed with at least one of their siblings; and 21% were completely separated from siblings.[2] Data permitting comparison of these figures with earlier time periods are not available. However, another set of data allows

[2] These figures add to more than 100% because of rounding.

comparison of the experience of sibling groups who enter foster care at the same time. Incomplete data for CY'00 show that, when two siblings come into care on the same day, they have been placed together 94.7% of the time, as have 86.5% of siblings in groups of three and 54.6% of those in groups of four. Each of these figures is an increase over comparable data for CY'98, where the corresponding figures are 92.7%, 71.1%, and 35.4%, respectively.

- In FY'00, 3,031 children spent a total of 5,257 nights at ACS's "pre-placement" facility at Laight Street, because ACS was unable to find a suitable placement for them quickly enough. This is a decrease of 37.1% from the 4,820 children who had to stay overnight, and of 42.3% from the total of 9,114 overnight episodes, in FY'98.

These data indicate some progress in meeting system goals for placing children in their own neighborhoods, with relatives, and together with their siblings, and in finding placements in a timely manner.

C. Monitoring and Improving the Performance of Contract Agencies

1. Policy, System, and Practice Changes

Foster Care Evaluation System. In the past two years, ACS has developed and implemented a system for evaluating foster care programs that is far more sophisticated and comprehensive, and far better aligned with its policy goals and with good child welfare practice. The EQUIP system incorporates reviews of the outcomes achieved by providers (timely reunification of families and completion of adoptions, prevention of re-entry into foster care, and preparation of youngsters for independent living); measures of the services provided; and measures of compliance with key regulatory requirements. ACS is currently completing the first round of EQUIP evaluations and anticipates using the results for decisions about contracts for the Fiscal Year beginning July, 2001.

Changes in Reimbursement. ACS has instituted a reimbursement system, known as STAR, which allows providers to keep some of the savings they produce by achieving permanency for children more quickly. STAR is a response to the disincentives to permanency that are inherent in a per diem reimbursement system, which pays agencies only when children are in foster care. Because of this initiative, the way in which ACS pays contract agencies is now much better aligned with the agency's policy goals. ACS has also used STAR to advance funds to contractors so they can innovate in ways that will further permanency.

Capacity Management. ACS has implemented a system by which it will manage the utilization of each contract provider to its contract level. In the past, agencies grew or got smaller largely because of their efforts at recruitment and their availability to ACS placement staff. This new model makes it possible for ACS to make explicit decisions to send more children to those agencies best able to provide high quality services and meet the system's policy goals.

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Collaboration. During the past two years, ACS has provided far more opportunities for contract agency providers, along with other stakeholders, to participate in policy decisions. ACS more often consults with these knowledgeable individuals early in the process and continues to do so repeatedly until final policies are completed. Although it is impossible to measure the effects of this change, our conversations lead us to believe that it has had a significant impact on stakeholders' commitment to carry out system reform efforts.

D. Front Line and Supervisory Practice

1. Policy, System, and Practice Changes Related to Front Line and Supervisory Practice

Training. ACS has identified, advocated for, and obtained the resources needed to permit greatly enhanced training of all staff throughout the child welfare system, including those in contract agencies as well as ACS employees. Its plans to deliver this training are addressed further in Part III (D), below. ACS has also developed, at its new Children's Center in Manhattan, a state-of-the-art training facility that will enhance its training capacity.

Many other ACS initiatives addressing front line and supervisory practice are currently being planned or implemented; we review their status as well in Section D of Part III, below.

2. Data Related to Front Line and Supervisory Practice

We have three sources of information.

a. Audits by the Office of Children and Family Services

The New York State Office of Children and Family Services has provided data on ACS's child protective services work (Case Record Review #1, August 2000), derived from a case review it conducted jointly with ACS. The State study documents improved compliance with regulatory standards across a wide variety of activities, including timely initiation and completion of investigations; interviewing or observing all at-risk children; contacts with collaterals likely to have information relevant to the investigation; and evidence of supervisory involvement and review of the investigation decision. It found problems, and required corrective actions, with regard to information gathering by protective staff, legal notifications to subjects of reports, and a number of other issues. Taken as a whole, the report suggests significant improvements in child protective practice in New York City.

OCFS is also planning to release an audit of foster care services in New York City in December 2000. The Panel has had the opportunity to examine drafts of both the audit itself and of ACS's response, and has discussed this material with ACS leaders.

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b. ACS statistics on regulatory compliance

ACS has also tracked compliance with certain key Federal and State requirements about aspects of front line work.

- The number of children in foster care with overdue Uniform Case Records has decreased by 75% from 5,434 in May 1998 to 1,370 in October 2000. (There were more than 6,200 children in this category in mid-1996.)
- The number of children in foster care facilities whose certification is not up to date (typically, foster homes whose authorizations have not been renewed in a timely manner) has decreased by 53%, from 2,677 in May, 1998 to 1,263 in October, 2000. (There were more than 7,300 children in this category in mid-1996.)
- The number of children in foster care for whom legal authority has lapsed has also decreased by 53%, from 3,755 in July 1998 to 1,781 in October 2000. (There were more than 10,700 children in this category in January, 1997.)

These data indicate continued progress in ensuring that certain legally required activities take place. The number of children for whom legal authority has lapsed or who are in homes without a current certification, however, remains cause for significant concern.

c. Panel questionnaire

The Panel has also collected some information about how stakeholders in this system view changes on the front lines over the past few years and what their expectations are for the near future. We did this by giving a brief questionnaire to the people we met with in preparing for this Final Report; we received 130 responses. This was not a random sample in any regard; the results indicate the views of the people who responded, and cannot be extrapolated to the system as a whole. Nevertheless, we find them sufficiently interesting to comment on some of the findings here.

Most of the people who answered our questionnaire believe that New York City's child welfare system is better now than it was three years ago, and most also believe that it will be better two years from now than it is today. ACS staff were most likely to perceive improvements (fully 90.2% thought that, taken as a whole, things are at least "somewhat better" now than in the recent past). Advocates and people who work for organizations that provide legal services to the system's clients were least likely to think things have improved, and contract agency staff were in between. However, even the lawyers and advocates were, in our view, surprisingly likely to perceive improvements (48.1% of them thought that the system as a whole is at least "somewhat better" now than it was three years ago, and 60.0% thought it will be better in two years than it is now).

The questionnaire included fifteen questions about specific aspects of practice. The areas that received the highest overall scores from respondents were: the likelihood that a child who is abused or neglected will be adequately protected; the likelihood that workers will be held accountable and expected to meet high standards; and the likelihood that a foster

family will get the help it needs to take good care of the foster children. The areas that received the lowest overall scores were: the likelihood that a family will get help based on an understanding of its culture; the likelihood that everyone working with a family will work together as a team to help them; and the likelihood that a high-risk family will get the help it needs to be able to stay together and keep the children out of foster care.

We find the data from the questionnaire, particularly the very strong indications by ACS's own workers and supervisors of change in their perceptions of their own practice, to be encouraging. The areas in which respondents indicated somewhat lower levels of confidence in the impact of reform efforts provide useful guidance for future priorities, and we will return to these issues, particularly with regard to support for parents and cultural understanding, in Part IV.

The survey questions, along with a further presentation of the data and a copy of the survey instrument, can be found in the Appendix at the end of this report.

Part III. Further Planned Changes; Review of Panel Recommendations

In this section, we turn to those reform efforts that are currently being implemented or planned by ACS and its system partners, with special attention to the status of actions previously recommended by the Panel. In the interest of avoiding an exhaustive review, we will not repeat here the full rationale for each of these recommendations. Instead, we follow the order of the Panel's Initial Reports, and refer the reader to those reports for further discussion.

A. Permanency

1. Review of Panel Recommendations and Related ACS Activities

Permanency principles. ACS has, as the Panel recommended, developed and disseminated these principles. In Section IV of this report, we will return to the question of the extent to which New York City's child welfare system carries out the principles in practice, and will suggest further actions that we believe would strengthen that connection.

Indicators of system performance. In the Panel's Initial Report on Permanency, we called on ACS to develop a limited number of key indicators of the performance of New York's child welfare system as a whole. ACS identified twelve such "outcomes and indicators," addressing such issues as timely permanency for children in foster care; low repeat maltreatment of children who have come into contact with the foster care system; and neighborhood-based placement. In Periodic Report #1, we suggested as a benchmark of performance that ACS have in place measurable objectives, benchmark data, and specific targets of system performance for all twelve of these indicators by March 31, 2000.

This work is not yet complete. ACS has developed plans to collect data for each of these indicators not only for the child welfare system as a whole, but also broken down by ACS unit, contract agency, and geographic area, as appropriate. Some indicators still need to be defined in greater detail, and for others ACS has to make adjustments to its information systems in order to be able to collect the data. ACS expects to be issuing regular management reports with data from five of the indicators by February 2001; five more between July and September 2001; and the final two indicators by January 2002. ACS expects to develop targets for system performance after it has been able to review the preliminary data for each of these indicators.

We recognize ACS's hesitation to develop targets before it has full information about current performance. Nevertheless, we believe that there is a real opportunity here to influence behavior throughout this system, and that the loss of time in making use of this opportunity is unfortunate. Benchmarks and targets have real power, in our view, to communicate goals and to help align individuals in many different organizations in pursuit of them. We encourage ACS to set these targets as soon as possible, and in any

event to do so with regard to each indicator as soon as the baseline data are available rather than waiting until all such data is available in 2002.

Foster family census and recruitment targets. ACS has, as recommended by the Panel, set detailed targets for the number of foster families to be recruited in each of New York City's community districts. In Periodic Report #1, we proposed as a benchmark of performance that ACS issue, by September 1, 2000, a public report discussing success to date in the recruitment effort and identifying actions to be taken in response to any identified problems.

In setting these targets, ACS is pursuing two goals. First, there ought to be sufficient foster homes in each community to meet the needs of children entering foster care from that neighborhood. Second, these homes need to be supervised by the agencies ACS has contracted with to provide services in that community. (Historically, most providers have had homes spread throughout New York City, and the existing foster homes in any particular community may be supervised by as many as 30 or 40 different contract agencies.) Therefore, there are two related efforts underway simultaneously, one involving recruitment of new homes and the other involving the transfer of existing homes to providers with contracts for the neighborhoods in which they are located.

We think it no exaggeration to say that the success of New York City's efforts to build a neighborhood-based service system depends on this work. If there are not enough foster families in a given community to meet its needs, ACS will have to continue to place children too far away from their families, schools, and friends. If there are sufficient homes, but these remain with agencies that do not have contracts to serve the community, ACS will have the unhappy and ultimately unacceptable choice of placing children out of their neighborhoods or placing them near home but with providers that do not have sufficient knowledge of or presence in their community.

ACS has been collecting data on the success of these efforts, and has just begun to make the data available to its contract agency providers. It plans to distribute a quarterly management report with this information. The initial data suggest that the system made relatively little progress during the first nine months of calendar year 2000. As of the end of September 2000, there were 9,384 foster home beds in New York City in CD's for which the supervising agency has a contract to provide services. (There are thousands of additional beds where there is not a match between provider and CD.) This represents a net increase of 61 beds from January to September, taking into account not only homes added or transferred, which is a significantly larger number, but also those lost because of foster parent retirements, adoptions, etc. For the year as a whole, ACS hoped to achieve a gain of more than 5,000.

ACS believes that the slow pace of foster home transfers between agencies has been a significant cause of this limited progress. Accordingly, it has recently required information from all contract agencies about the foster homes they have opened outside of the neighborhoods assigned to them, and plans to work with providers to facilitate the transfer of these homes to agencies with contracts for the CD in which they are located.

This will be a complex process, focused first on homes that are currently empty, but even there dependent on the willingness of the foster parent to work with a different agency. ACS also plans to convene a system-wide meeting in January, 2001, to discuss the progress of neighborhood-based recruitment and to assist agencies in making foster home transfers.

We believe that ACS's leaders fully understand the importance of this effort. Accordingly, rather than proposing a specific benchmark here, we encourage them to be vigorous both in supporting additional recruitment where it is necessary and in facilitating (and mandating if necessary) the transfer of foster homes between providers whenever this can be accomplished without harm to children in care.

Child Safety Conferences. The Initial Report called upon ACS to plan for, and make a substantial commitment, to institute family case conferences to be held shortly after children enter foster care. In the Initial Report on Placement, we added specificity to this recommendation by proposing a target of conferences in 85% of new placements by November 30, 1999. Finally, in Periodic Report #1, we suggested that ACS prepare a written plan addressing the goals of these conferences, and the skills and training workers need to conduct them, by February 1, 2000; prepare and make public a report containing an evaluation of the conferences by April 1, 2000; and achieve 50% participation of foster care agency workers at these conferences by June 1, 2000.

As noted in Part II of this report, the implementation of family case conferencing, on a scale unmatched by any other child welfare system in the United States, has been an impressive achievement of the past two years. In March, 1999, ACS held 31 family case conferences; in July, 2000 (the most recent month for which data are available), it held 405, of which 93 were "elevated risk" conferences held to determine whether foster care placement is necessary rather than waiting until after placement has already occurred. While ACS has not yet met the goal of holding conferences for 85% of all new placements, it appears well on the way to doing so. The 312 post-placement conferences held in July represent 73% of all of that month's placement cases. Moreover, ACS succeeded in holding conferences for 90% of protective services removals, which are the category of placements it has prioritized. Other placements (e.g. voluntary and PINS cases) had conferences 42% of the time in July. ACS has also achieved participation by birth parents in 72% of these conferences.

While ACS has not addressed all of the issues identified by the Panel in a single document, it has done a good deal of additional planning for these conferences during the past year. The protocol governing conference activities has been revised on several occasions, and ACS is in the process of instituting additional training for Child Evaluation Specialists, designed to help build their skills in facilitating the conferences. It is also planning further training, to be held in 2001, for all staff who participate in the conferences. These actions substantially meet the intent of our proposed benchmark.

ACS conducted an evaluation of the conferences, which includes a set of recommendations on how they can be strengthened. The recommendations address such

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issues as increasing the use of "elevated risk" conferences; increasing participation by foster care agency workers; and improving the quality of service plans and the way they are utilized in the Family Court process. The evaluation will be distributed publicly in the very near future. ACS has also provided the Panel with a preliminary status report on its actions in response to these internal recommendations.

ACS has held several meetings with foster care agency representatives designed to increase the participation of agency social workers in family case conferences. The participation rate for these workers reached 42% in July 2000. This represents progress towards the interim target proposed by the Panel. Far more important, we believe, is a joint effort on the part of ACS and foster care providers to reach a much more ambitious goal over the next year. The full benefit of family case conferences will be realized only when they routinely involve all of the key individuals involved in working with a family. Accordingly, we propose the following benchmark:

> *Benchmark #1.* By July 1, 2001, ACS and contract agency providers should achieve participation of foster care social workers in 85% of Child Safety conferences.

Now that ACS has succeeded in institutionalizing these conferences, we believe that it is ready for a next series of steps aimed at enhancing their quality and fully realizing their potential to change the way the child welfare system works with families. We will return to this theme in Part IV of this report.

OCACM Role Clarification. Both the Initial Report and Periodic Report #1 addressed issues relating to the role of the Office of Contract Agency Case Management. The most recent proposed benchmarks called for ACS (a) by February 1, 2000, to develop a written plan addressing OCACM's roles and responsibilities, training, staffing, and appropriate caseload size, and (b) by June 1, 2000, to issue a public report regarding OCACM's efforts to improve the quality of Service Plan Reviews.

ACS has defined the role of OCACM case managers as "permanency advocates," and is currently training these workers, together with contract agency staff, on how to use Service Plan Reviews to promote permanency. ACS has also conducted a workload analysis of OCACM, added clerical staff to the unit, and developed plans to reduce caseloads from the FY'00 level of 67 per worker to 54 by July, 2001, largely by transferring adoption and court ordered supervision cases to other units. ACS has not made a public report regarding its efforts to improve SPR's. We will return to this issue in Part IV.

Contract Agency Performance Expectations. In the Initial Report, the Panel recommended that ACS set clear expectations of its contract agency providers, monitor performance, and reward or sanction providers based on the results. We elaborated considerably on these themes in the Initial and Periodic Reports on contract agency issues, and refer the reader to Section C, below, for further discussion of ACS's accomplishments in this area.

2. General Conclusions and Comments Regarding Good Faith

ACS has taken sustained, thoughtful, and substantial actions with regard to permanency, encompassing issues as diverse as moving to a neighborhood-based service system; developing permanency principles; instituting family case conferences; and trying to strengthen Service Plan reviews. ACS has also committed itself to further steps, including establishing targets and regularly disseminating data on the twelve "outcomes and indicators" of system performance; improving neighborhood-based recruitment; and implementing recommendations to strengthen family case conferences, among others. Taking into account all of these activities, both those already completed and those currently underway and planned, we believe that ACS has acted in good faith in this area.

We nevertheless believe, as does ACS, that a great deal of work remains to be done to improve the prospects for permanency of the children and families who come into contact with New York City's child welfare system. Most of Part IV of this report is devoted to our further thoughts and recommendations on this subject.

B. Placement

1. Review of Panel Recommendations and Related ACS Activities

Gathering information. In the Initial Report, the Panel called on ACS to clarify and strengthen guidelines for the placement-related information that must be gathered routinely by protective services staff. In Periodic Report #2, we proposed as a benchmark of improvement that ACS analyze, by July 1, 2000, what information is not routinely gathered and why, and, by September 1, 2000, develop a plan to address the problem.

During the summer of 2000, ACS piloted a new Child Placement Referral form. This form asks workers to record information ACS has not routinely gathered in the past (for example, it has specific questions regarding the child's and family's strengths, and about what possessions the child is bringing with him into foster care). It will be distributed to all of the people who play a critical part in the placement process, including the intake worker at the receiving agency and the foster parent. ACS modified the form following the pilot, and now plans to introduce it after staff from each borough are trained in its use. This training, which includes multiple issues related to the placement process, will be completed between January and April 2001, beginning in Queens and finishing in Staten Island. Shortly after implementation, ACS plans to evaluate the information being recorded in order to identify any areas in which staff are having difficulty gathering the data, and it will then determine how to address these problems.

The Panel believes that the new form, if accompanied by ongoing monitoring and supervision that reinforces the critical importance of gathering and disseminating the

information needed to make appropriate placements, will be useful. We will return to this issue in a proposed benchmark, found at the end of this section.

Child safety conferences. We have commented on the impressive work done in developing and implementing these conferences as part of our review of permanency, in Section A, above.

Placement principles and training on placement decision-making. ACS developed and disseminated placement principles, as recommended in the Initial Report. In Periodic Report #2, we noted that staff needed additional guidance on how to use these principles in practice, with particular emphasis on how to balance conflicting goals (for example, choosing between a placement located near a child's home and a placement with a relative who lives further away). We proposed as benchmarks that ACS (a) provide skills-based training to those who make placement decisions, by August 1, 2000, and make substantial progress towards providing similar training to protective services and OCACM staff by November 1, 2000, and (b) evaluate the impact of the placement principles and plan to strengthen that impact, by September 1, 2000.

ACS made a preliminary effort to address these issues with placement staff earlier this year. It will now incorporate issues relating to the appropriateness of placement in the training, described above, to be held between January and April 2001. Again, we will return to this issue in a benchmark at the end of this section.

Placement with relatives. The Initial Report recommended that ACS develop concrete practice guidance on the use of relatives as placement resources. In Periodic Report #2, we called for an analysis of barriers to the use of kinship homes, including problems in supporting relatives, by July 1, 2000, and a plan to address these barriers by September 1, 2000.

ACS has taken a number of steps to promote placement with relatives. It has reissued policy memoranda and practice guidelines emphasizing the priority to be given to relatives as placement resources; conducted a management retreat that identified barriers to the use of kinship homes; and developed a consolidated procedure to come into compliance with revised Federal requirements governing the certification of relatives as foster parents. ACS plans to run focus groups with staff over the next several months to determine the impact of these efforts, and to develop more extensive practice guidelines by June 2001.

We believe that this work is essential. In the first two months of FY'01 (July and August, 2000), 20.1% of the children placed in foster care went to relatives, a slight increase from the 19.5% recorded for the previous fiscal year as a whole. We think it unlikely that this figure will change substantially until ACS has more clearly detailed the work it expects both protective services staff and contract agencies to do to find and evaluate relatives as placement resources; determined what system and procedural changes it will need to take to address any barriers that may now impede this work; and

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instituted systems for ongoing monitoring and supervisory review. Again, we address this issue further in the benchmark at the end of this section.

Resource development plan. In the Initial Report, we urged ACS to publish a resource development plan addressing both preventive services and placement resources, with specific reference to groups of children for whom it is currently difficult to find appropriate placements (for example, gay and lesbian youth, mothers with babies, and large sibling groups). In Periodic Report #2, we renewed this recommendation, calling for ACS to identify its "goals for changes in the configuration of resources... over the next three to five years" and its plan to develop or re-allocate resources to achieve these goals, by July 1, 2000.

As described in Part II of this report, ACS has secured funding to add both preventive and placement resources to New York's child welfare system, and some of these programs are already serving clients. ACS also plans to issue a "Community Resource Book," providing data on the services and facilities available in each Community District. It has not, however, developed the kind of plan envisioned by the Panel.

We continue to believe that a public description of resource development goals appropriate to meet the placement and preventive services needs of this system – both those that entail additional resources and those that can be met through the reallocation of existing funds - would be a desirable means of promoting change. In our opinion, the value to be gained from such a resource development plan lies in more clearly communicating to key stakeholders that ACS recognizes the system's resource needs and is committed to addressing them; better identifying ACS's priorities; aiding ACS in building alliances and leveraging the efforts of others to support changes that ACS itself seeks; and providing the public with realistic benchmarks against which it can judge the system's progress in meeting the needs of the children it is responsible for. Therefore, we believe that ACS's decision to focus its activities in this area on preparation of the Community Resource Book is unfortunate.

Flexible funding. In the Initial Report, we recommended that ACS develop ways to pay for services other than those typically provided, when these are essential to support placement in the most home-like environment possible. Our particular concern was that, as this system is currently financed, some children may have to be placed in congregate care facilities in order to receive the services they need, when these children could be able to live with foster families if additional resources were made available to support them.

ACS's expansion of the therapeutic foster boarding home program was meant in part to address this difficulty. ACS has also successfully worked with the New York State Office of Mental Health to make that agency's Home and Community Based Waiver program available to foster children for the first time. This program provides extensive community services in order to allow children with significant mental health needs to remain with a family. ACS is now working with OMH to tailor the program so it can

support both the foster family caring for a child and the birth parent(s) with whom the child will ultimately be reunified.

ACS has also designed a pilot program, which will make flexible funds available to be used as determined at family case conferences. Under this pilot, ACS will select ten of its Child Evaluation Specialists or Child Protective Services workers, and provide each with a budget of $25,000, with the discretion to recommend up to $1,000 per family in specialized services. An ACS manager will then have the authority to approve these expenditures. The pilot will be in place by January 1, 2001; because of constraints imposed by the City's contracting process, the range of goods and services available at that time will be limited, and ACS expects to broaden this list by March 1, 2001.

The Panel believes that this is a useful initial effort, and that it must be quickly evaluated to enable a decision about its potential system-wide applicability.

> *Benchmark #2:* ACS should, by September 1, 2001, conduct a preliminary evaluation of the impact of the "flexible funding" pilot, and publicly disseminate it along with a plan for system-wide implementation or for the development of an alternative approach with system-wide impact.

Clearer accountability in the placement process. In the Initial Report, we made a series of recommendations designed to simplify the placement process and clarify responsibility and accountability for the many individuals who play a part in it. In Periodic Report #2, we proposed as benchmarks that, by October 1, 2000, ACS establish guidelines for teams of Child Evaluation Specialists, protective services workers, and placement staff to work together regularly; determine how the management structure to support these teams will work; pilot them in at least one borough; and develop a reasonable schedule for implementing them city-wide.

ACS has planned a set of inter-related changes in the placement process. One of these, the assignment of Child Evaluation Specialists to work with specified Child Protective Managers on cases from specific Community Districts, was implemented on October 1, 2000. This change will make it possible for CES's to routinely work with the same protective workers and supervisors, and to learn about the resources available in the communities in which they work. ACS has also recently issued instructions to its staff implementing procedures for CES's to interview or observe all children awaiting placement (in the past this practice has not been routine when the CES was not physically located in the same office as the nursery in which children await placement).

The remaining changes include: implementing the new consolidated placement information form mentioned above; eliminating one step in the placement process by doing away with the "Intake Placement" unit; assigning placement workers to handle cases from specific boroughs, so they can regularly interact with the same CPS and CES workers; and instituting telephone conference calls among the protective worker, CES, and placement worker involved in each case.

ACS expects to implement these changes in each borough at the conclusion of the placement-related training described earlier in this section. Therefore, the new placement process should be in place in Queens by the end of January, and throughout New York City by the end of April. We will return to this issue in the benchmark at the end of this section.

Reducing trauma. In the Initial Report, we called on ACS to address a series of concerns relating to the trauma experienced by children and families in the placement process. In Periodic Report #2, we proposed as a benchmark that ACS establish practice standards aimed at reducing trauma by August 1, 2000; conduct an analysis identifying barriers that make it difficult to meet these standards, by September 1, 2000; and develop a plan to deal with the barriers, by October 1, 2000.

As noted in Part II of this report, ACS has extended the hours at its field offices, allowing more of the children awaiting placement to remain in one location rather than having to move to Manhattan in the late afternoon. ACS is now strengthening this action by ensuring that a Child Evaluation Specialist is available at each borough office until 9 p.m., so children who are removed late in the day can be seen by a CES close to home.

ACS has developed, but not yet implemented, guidelines for reducing trauma. They are to be introduced to all staff involved in placements as part of the new placement training initiative described above. The analysis of barriers to implementing these guidelines of course cannot begin until after staff have begun to use them; ACS expects to conduct it in June and July 2001. Again, we will return to this issue in the benchmark found at the end of this section.

Family permanency (30-day) case conferences. In the Initial Report, we recommended that ACS build upon the work begun at Child Safety Conferences by establishing family permanency conferences, to be held 30 days after placement. We called for ACS to hold these conferences in 85% of placements by November 30, 2000.

ACS has developed protocols for these conferences and, this past summer, piloted them in Manhattan. Full implementation of the new conferences began in Manhattan on November 1, 2000, and in the remaining four boroughs on December 1, 2000. ACS expects that by May 2001, all five boroughs will be holding conferences in 70% of remand (i.e. child protective removal) cases.

We applaud the commitment of resources and effort involved in this work. As the schedule is behind that which the Panel proposed, we will address it in the benchmark at the end of this section.

Placement information addressing non-discrimination. In the Initial Report, we encouraged ACS to develop regular public reports describing the placement experience of different groups of children entering foster care in New York. ACS did so, issuing an ambitious "First Annual Placement Report" in July 2000. In Periodic Report #2, we applauded this effort but noted our concern that, in the database from which the report

was generated, information on a child's race and religion is very often recorded as "missing." Accordingly, we proposed as benchmarks that ACS (a) take steps needed to ensure the integrity of its data on race and religion of children coming into care, by July 1, 2000; (b) publicly report on the integrity of this data by November 1, 2000; and (c) "evaluate and publicly report data addressing non-discrimination in referral and placement in individual foster care programs," also by November 1, 2000.

ACS has examined the problems associated with complete data entry, and has presented the Panel with statistics indicating significant improvements over the past several months. If these improvements can be sustained, future Annual Placement Reports will be based on far more complete information. ACS has not yet done the kind of interim analysis we envisioned in the final part of the proposed benchmark. It is, however, prepared to proceed with a review of placement practices within the Residential Treatment Center level of care, examining demographics and quality by program, and to complete this work by March 2001. We believe that this will be useful work that will illuminate issues that have been of concern since the original *Wilder* lawsuit was filed many years ago.

Indicators of placement performance. In the Initial Report, we called on ACS to establish a limited number of indicators of performance related to placement, and to have data collection and reporting mechanisms in place for these items by April 15, 2000. The Annual Placement Report, mentioned just above, addresses many of the issues we had in mind in making this recommendation; the 12 "outcomes and indicators" described in Section III (A), above, also contain two indicators related to placement. Finally, ACS's management plan includes targets for such indicators as in-borough placement, in-CD placement, and keeping siblings together. We encourage ACS to continue to refine this work, and in particular to find mechanisms for making data on these critical indicators widely available more frequently than the annual report alone will permit.

2. General Conclusions and Comments Regarding Good Faith

ACS has addressed a significant number of the Panel's recommendations relating to placement. Its actions include: developing placement principles and related training; committing significant resources to institute 72-hour (child safety) and 30-day (family permanency) case conferences; developing new forms, procedures, and practice standards related to gathering information, improving accountability in placement, and reducing trauma for children and families; and collecting and publicly disseminating data on the placement experience of children coming into care. As described in Part II of this report, data indicate some promising early signs of improvement with regard to the likelihood that children will be placed in their own communities and with kin, and that siblings will be placed together. We believe that ACS's actions are sufficient to warrant a finding of good faith with regard to placement.

We caution, however, that many of these activities are only now reaching the point of implementation. When they are fully in place, we believe that most children who enter the foster care system will be likely to have a significantly better experience, and will have a better chance of receiving a placement that meets their needs well, than would

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have been true eighteen months ago, but we cannot yet conclude that this is the case today. Accordingly, we strongly encourage ACS to report to the public its progress regarding placement, as follows.

> *Benchmark #3.* ACS should, by April 1, 2001 and again by October 1, 2001, publicly report on the implementation of changes related to the placement of children in foster care, including at least the following issues:
>
> - the implementation and practical effect of its effort to improve the way information needed for placement is gathered and transmitted to the people who need it, and any additional steps ACS plans to take to further this effort;
> - the implementation and practical effect of its effort to improve the quality of placement decision-making, as measured by ACS's quality improvement program and/or other data collection efforts, and any additional steps ACS plans to take to further this effort;
> - the implementation and practical effect of the additional preventive services and placement resources for which it has contracted;
> - the implementation and practical effect of practice standards for the use of kinship homes, and any additional steps ACS plans to take to further this effort;
> - the implementation and practical effect of 30-day family permanency case conferences;
> - the implementation and practical effect of practice standards designed to reduce trauma for children entering care, including the analysis of barriers to full implementation of these standards, and any additional steps it plans to further this effort; and
> - the implementation and practical effect of changes in ACS's internal organization designed to improve accountability and promote teamwork among those involved in making placements.

C. Monitoring and Improving the Performance of Contract Agencies

1. Review of Panel Recommendations and Related ACS Activities

Evaluation of Foster Care Providers. As described in Part II of this report, ACS has already implemented most of the changes recommended by the Panel, including the refinement of its evaluation system; the development of additional indicators relating to its major policy goals, such as neighborhood-based placement; and clearer communication to contract agencies and other stakeholders of its evaluation goals and processes.

ACS has taken further action on two aspects of the evaluation process since the Panel issued its Periodic Report. It has worked with the Child Welfare League of America and a group of New York City stakeholders to develop mechanisms for feedback from birth parents, children in care, foster parents, and staff. ACS is currently finalizing a pilot project, which will gather data from birth parents, children in care, and foster parents for

45 cases. ACS expects to conduct the pilot in December, to review the results with its workgroup in January 2001, and then to make decisions about how to expand this effort to the system as a whole.

ACS has also defined some additional components of the EQUIP evaluation system, and it will measure agency performance in these areas beginning January 1, 2001. They include service plan reviews (their timely occurrence and the attendance of required participants); family case conferences (similar issues to those listed above); the frequency with which children go absent without leave from congregate care programs; and the frequency with which children are moved from one placement to another (excluding such desirable transfers as those to reunite siblings or place children with relatives).

Capacity management. As noted in Part II, ACS has met the Panel's recommendation that it develop a system for controlling the number of children placed with each provider, tied to its evaluation of provider performance. We had further proposed that ACS use this system to set, by October 1, 2000, revised targets for the number of children to be placed with each contract agency for the 2001 contract year, which begins on July 1, 2001. This recommendation reflected an incomplete understanding on our part of the evaluation timetable; ACS's evaluations will not be complete until the end of the calendar year. Accordingly, ACS plans to set targets for the 2001 contract year by March 2001, and we believe that this is an appropriate timeframe.

Changes to the Reimbursement System. As noted in Part II, ACS has taken important actions, through the implementation of the STAR system, to reduce the disincentives to permanency inherent in the per diem reimbursement system and to better align its reimbursement system with its policy goals.

Better use of preventive services for high-risk cases, and improved coordination between protective and preventive services. In the Initial Report, we recommended that ACS re-think critical issues related to the way it uses preventive services. Our overriding purpose was to ensure that those services are available to and regularly used by protective services workers whenever they are appropriate to prevent placement. In Periodic Report #3, we suggested as a benchmark that ACS issue a public report describing how it plans to accomplish this goal, including appropriate timeframes for implementation, by October 1, 2000.

ACS developed a draft of a revised model for preventive services, addressing such issues as the definition of high-risk cases; differential service expectations and financing for those cases; and the way in which protective services will remain involved in these cases. It distributed this draft in September 2000, and subsequently met with a group of providers in October to discuss it in detail. ACS appropriately decided to modify this proposal, and has now distributed a revised version for comment with the expectation that the new model will be finalized by January 1, 2001.

Coordination of preventive and foster care services. In the Initial Report, we also recommended that ACS take steps to improve the coordination between foster care and

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preventive services. ACS's primary activity in this regard was the institution of family case conferences to be held when children are about to be discharged from foster care. Among many other useful purposes, these conferences can help to ensure that families whose children are returning home are connected with preventive services in their neighborhoods when this would be a useful support. In Periodic Report #3, we suggested as a benchmark that ACS issue a public report, by October 1, 2000, describing discharge family case conferences and committing to a time by which they will be held for the large majority of children leaving foster care.

ACS has developed a schedule for the implementation of discharge case conferences, and reviewed the schedule and the protocol for the conferences with contract agencies. It began to hold discharge conferences for abuse cases in April 2000 and for neglect cases in July 2000. The schedule calls for conferences to be held in 50% of reunification cases by the end of December 2000 and 85% by July 2001. ACS also plans to evaluate the conferences by December 2001.

Evaluation of preventive services providers. In the Initial Report, we recommended that ACS develop a more refined system of evaluating its preventive services providers. We suggested that this work be done by October 1, 2000, so it could be used for the evaluation period that begins on January 1, 2001. When we wrote Periodic Report #3, it was clear that a new system would not be ready by October 1, and we proposed as a benchmark that ACS issue a public report by that date setting forth a timetable for developing and implementing it.

In late November, ACS distributed for comment by providers an outline of a new preventive services evaluation model. It identifies a range of indicators of program performance, grouped under the same three general headings (compliance, outcomes, and quality) used in EQUIP system for evaluating foster care programs. Comments are due by December 20, 2000.

This work is at a very early stage of development; we suspect that several of the indicators are likely to change, and a great deal of work will be needed to develop systems for collecting the data. ACS also quite rightly wants to ensure that its evaluation system is integrated with its new preventive services model, so that model must be finalized before the evaluation system can be completed. We therefore think it unlikely that ACS will be able to fully implement a revised system in 2001.

We continue to believe that this work is very important, for reasons similar to those ACS has set forth in developing EQUIP for foster care. ACS needs to communicate clearly with its preventive services providers about what it expects from them, and it needs to be able to measure performance against these expectations and to make contract decisions based upon these results. We strongly encourage ACS to work closely with its contract providers to develop an evaluation system that can be fully implemented for the contract year beginning January 1, 2002. Incremental progress towards this goal during the 2001 contract year would of course be highly desirable.

Communication with contract agencies. In the Initial Report, we made two recommendations concerning this issue. First, we thought that ACS needed to develop procedures for better coordinating and communicating policy with regard to contract agencies. ACS instituted a process by which all major decisions affecting contract agencies must be reviewed by the Commissioner and Deputy Commissioners at a senior staff meeting. Second, we urged ACS to designate a lead person at the staff level to relate to each provider. We envisioned multiple roles here, including helping the contract agency solve problems that cut across divisions of ACS; interpreting ACS policies to providers; and ensuring that all of the staff in different units of ACS that relate to the same contract agency share information. In Periodic Report #3, we proposed as a benchmark that ACS, by October 1, 2000, identify the changes needed to allow the Agency Program Assistance (APA) unit, or some other part of ACS, to play these various roles, and commit to a timetable for implementing these changes.

ACS's leaders continue to work on improving their communications with contract agencies (Deputy Commissioners, for example, now meet regularly with foster care and adoption program directors). ACS has also developed an operating plan for the APA unit, which includes as part of its responsibilities that "contract agency personnel utilize APA staff to resolve any problems or issues they have with any department or unit in ACS." This is a useful step. We suspect that considerable additional work, addressing such concerns as the authority of APA when it deals with other parts of ACS and the number of different providers each APA staff member is expected to work with, will be needed to make it possible for APA to carry out this role effectively. We encourage ACS to join with contract agency leaders to carry forward this work.

2. General Conclusions and Comments Regarding Good Faith

When we issued Periodic Report #3 just a few months ago, we concluded that ACS had taken some action on virtually all of the critical issues regarding contract agencies, and had made extraordinary progress on several of these. Since that time, ACS has taken several additional steps with regard to client feedback; the development of a new model for preventive services; and the specification of additional important variables used in evaluating foster care providers. We believe that ACS has acted in good faith in its efforts to monitor and improve the performance of contract agencies. The full value of this work is, of course, dependent on the actions ACS takes in the future in response to its evaluation findings.

At the conclusion of Periodic Report #3, we addressed the critical importance of ensuring that contract agencies have adequate resources to carry out the many reform tasks in which they are joining with ACS. We will return to this issue once again in Part IV of this report.

D. Front Line and Supervisory Practice

1. Review of Panel Recommendations and Related ACS Activities

The Panel issued its Initial Report on Front Line and Supervisory Practice in March 2000, and there has not been a separate Periodic Report on this topic. Accordingly, we will provide somewhat more detail in reviewing progress with regard to our recommendations in these areas.

Supervision. We made a set of recommendations aimed at clarifying the roles of supervisors, with particular emphasis on their responsibilities in coaching practice and communicating values, and on strengthening their ability to carry out these responsibilities. We called on ACS to revise supervisory job definitions and performance standards (by June 15, 2000) and develop mechanisms to review the impact of these changes (by September 15, 2000); to begin implementing a training curriculum for supervisors (by September 15, 2000); to provide supervisors with access to mentoring and clinical expertise (by October 15, 2000); and to make appropriate changes in the compensation and authority of supervisors (by October 15, 2000). These recommendations were aimed at the needs of supervisors both in contract agencies and in ACS itself.

ACS has developed ambitious plans for training supervisors throughout the child welfare system. In October, it began piloting a "supervisory common core" curriculum, with supervisors from ACS and several contract agencies participating. Panel members have had an opportunity to see this pilot in action and are impressed by both its substantive content and by the opportunities it provides to practice supervisory skills. ACS expects to offer ten days of training for all new supervisors, beginning in February 2001. It will develop a modified version of the core curriculum, lasting between two and four days, which can be offered to all current supervisors in the system. ACS hopes to be ready to begin this training by April 2001, and to complete it (there are more than 2,000 supervisors to be trained) by June 2002.

ACS is in the process of issuing a Request for Proposals for clinical consultants. ACS plans to procure the services of twelve consultant teams, each of which will include individuals who are knowledgeable about substance abuse, mental health, domestic violence, and medical services. The teams will be stationed in ACS offices, and will provide training and, eventually, individual case consultation to supervisors in both ACS and contract agencies. ACS plans to issue the RFP in December 2000, with submissions due February 2, 2001. It will award contracts by July 1, 2001, with programs expected to be operational as soon as possible and no later than October 1, 2001.

ACS has, as the Panel has previously reported, very significantly improved the compensation of its own supervisory staff over the past several years. In order to make similar changes possible in contract agencies, ACS and the New York State Office of Children and Family Services will have to work together to improve reimbursement to

contract providers. We will therefore treat this recommendation as part of our larger discussion of that theme, below.

ACS is just beginning the process of reviewing and changing supervisory job definitions and evaluation standards. It plans to call together within the next several months a group of managers and supervisors from both ACS and contract agencies to begin to address these issues. Changes would, if possible, be implemented at the same time that increased compensation for contract agency supervisors becomes available. Accordingly, we do not expect that this part of our recommendation will be addressed before the late spring of 2001.

Training. The Panel made two recommendations concerning training, each of which is far-reaching. First, we noted that ACS had instituted major improvements in the training of its own staff over the past several years, but that staff in many contract agencies, which are constrained by limited resources, do not receive comparable preparation for their work. We recommended that ACS develop a plan, by September 15, 2000, to ensure that adequate training is made available to everyone who works with clients in New York City's child welfare system, and obtain the resources to fully implement that plan by September, 2001; we further suggested that ACS pilot training for a first group of contract agency staff by November, 2000. Second, we noted that the training provided at ACS's Satterwhite Academy was stronger in addressing the information workers need to learn and the agency procedures they must master than in providing staff with an opportunity to learn and practice the skills they will use in working with clients every day. We called on ACS to issue a policy statement clarifying the goals of its training program (by July 15, 2000), along with a plan to implement appropriate revisions in training by March 2001. We also recommended that ACS make substantial progress in implementing this plan by November 2000.

As noted in Part II of this report, ACS has obtained substantial new resources and committed them to training for staff in all parts of the child welfare system. ACS and contract agency representatives have been meeting regularly to determine how and by whom the training will be delivered to contract agency staff. At the same time, ACS and its partners have adopted New York State's "common core" approach to training child welfare staff, and they are working together to customize many elements of this training for New York City. ("Common core" refers to training that is to be delivered to all child welfare staff, regardless of whether they work in protective services, foster care, preventive services, or adoption. Additional, specialized components will also be available to address the worker's service area in greater depth.) The common core model is skills-based. It clearly describes the competencies staff members need to develop, and builds into training the opportunity to learn and practice those skills. It also presents opportunities for ACS and contract agency staff to be trained together, a change that in our view has extraordinary potential in helping to break down barriers and build teamwork across the different parts of the child welfare system.

These two initiatives, taken together, have produced a plan to offer a very substantial amount of training to many thousands of workers. The common core for caseworkers

encompasses ten weeks of training, with alternate weeks in the classroom and on the job site. ACS currently projects that it will be piloted by between February and May, 2001, and that training cycles will then be offered beginning at least twice per month for new staff. ACS is also customizing a modified, seven-day version of the common core for current caseworkers. It hopes to pilot this training by May 2001, and to offer it to more than 5,000 individuals over the following eighteen months.

Much work remains to make these plans become realities. ACS and contract agencies must reach agreement on who will deliver the training, and on the extent to which staff must be trained before they can begin to see clients. Perhaps most important, New York City (together with any institutions which may receive contracts to provide some of this training) will have to recruit a very large number of trainers who are skilled both in delivering this curriculum and in modeling practice skills for caseworkers.

> *Benchmark #4.* ACS should, by April 1, 2001, publicly report on the implementation of its plans to train staff and supervisors throughout the child welfare system.

Measurements of quality and outcomes related to front line practice. We observed in the Initial Report that, to the extent that front line workers and supervisors are provided with data about their own work, it is typically limited to information about compliance with regulations (for example, whether they are completing Uniform Case Records on schedule). We encouraged ACS and contract agencies to develop measures of quality and outcomes related to front line practice, based on a common set of practice standards, by September 15, 2000.

ACS plans to break down the data gathered for its 12 "outcomes and indicators" (see the discussion of this subject under Permanency in Part III (A), above) by contract agency when this is relevant, and, within ACS, by worker and unit. (Unfortunately, because of limitations in the State's automated systems, breakdowns by worker and unit for contract agencies will not be possible.) ACS is also examining the Quality Service Review process now used in several other child welfare systems, which employs intensive, focused review of individual cases, as a mechanism for learning more about the quality of front line practice. And it has expanded the staff of its Quality Assurance division so they can conduct more frequent peer reviews of supervisory practice and casework in ACS's own operations.

These are all useful steps, and we believe that this work now can and should be brought to another level.. The heart of our concern remains the need for ACS and contract agencies to "...define what high quality and desirable outcomes mean in the work of each key group of staff and supervisors..." and then to "...identify those basic indicators for which data are already available or can readily be gathered, and begin to link these indicators to evaluation and incentive systems." We continue to believe that this effort is essential, and we address it further in Part IV of this report.

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Personal handoffs when cases are transferred. We called on ACS to establish, by September 15, 2000, procedures to ensure that case information is transferred between workers as thoroughly and promptly as possible. We encouraged ACS to have such "handoffs" take place face-to-face whenever possible, and to have them include joint meetings with birth parents and foster parents when appropriate.

ACS has analyzed the many different kinds of case transfers that take place in this system. Counting both case planning (the responsibility to provide services directly to families and children) and case management (the responsibility of various ACS units to oversee the work of contract agencies), ACS estimates that there are more than 2,000 such transfers per month. For example, every time a child is placed in foster care, case planning responsibility passes from a protective services worker to a contract agency or ACS foster care worker, while case management responsibility typically passes to OCACM or the Adoption Case Management unit.

ACS has prioritized personal contact for case planning transfers. Its plans to achieve this goal are in very different stages of implementation for different kinds of transfers. For example, the implementation of child safety conferences has created an opportunity for personal contact between the protective services worker who has done the investigation and the foster care worker who is beginning to work with the family. (As noted above, foster care workers are now present at these conferences about half the time, and the full benefit of this opportunity will be obtained only when this rate is substantially increased.) By contrast, personal contact rarely happens when cases are transferred from protective to preventive services, but ACS expects to address this when it implements a revised model aimed at better coordinating these two systems (see the discussion under Contract Agencies, in section III(C), above). ACS is now considering the issue of personal contact between workers in different contract agencies, for example when a child is transferred from one foster care agency to another, or when a child is discharged from foster care and the family begins to receive preventive services from a different provider.

We continue to believe that this work would benefit from a clear statement of purpose by ACS leaders and the establishment of timeframes by which ACS expects to achieve it.

> *Benchmark #5*: ACS should, by May 1, 2001, publicly report on (a) its plans to ensure personal contact between workers when cases are transferred, clearly identifying those situations in which it will require such contact, and (b) the status of implementation of these plans and the schedule for completing any steps that remain.

Revised policies and procedures re parent-child visiting. We concluded in the Initial Report that visits between parents and their children in foster care in New York "...are too limited in frequency, too often intrusively supervised, and too often take place in the artificial setting of an agency visiting room." We recommended that ACS, working together with contract agencies and the courts, establish revised policies and practices governing visiting by September 15, 2000.

ACS conducted an extensive Visiting Improvement Project, which has been cited by a number of the agency representatives and advocates who participated as a model of thoughtful collaboration. ACS has drafted revised visiting policies and distributed them for comment, with the expectation that they will be ready for review by a wider audience in December 2000. These policies are likely to, among other changes, make it much more likely that visits will be unsupervised unless supervision has been mandated by a court order or is necessary because of clearly identified risks to the child's safety; begin to move the system towards a standard of weekly, rather than bi-weekly visits; promote the participation of birth parents in important activities in their children's lives, such as doctor visits and school conferences; and lead to the piloting of family-friendly visiting centers, open in the evenings and on weekends, in selected communities. In addition, ACS has worked extensively with the City and State corrections systems to facilitate visiting between children and their incarcerated parents.

We are very encouraged by this work. We believe that New York City will soon have much improved policies regarding visiting – and that the challenge of implementing these policies, and truly making more frequent and normalized visits a part of routine practice, will be enormous. In Part IV of this report, we will comment further on the connection between visiting and other important issues related to permanency.

Services to adolescents and their families. Based on our observations of front line practice, we concluded in our Initial Report that "...New York's child welfare system needs to fundamentally re-examine its approach to teenagers and their families," with the goal of "...a system-wide recommitment to permanency for teens." We made a cluster of recommendations related to this theme, including: (a) development and dissemination, by August 15, 2000, of a statement of principles governing services to adolescents and their families; (b) development of a plan, by October 15, 2000, for the additional preventive services, foster family resources, and "wraparound" services needed by teens and their families, with the goal of having these services in place by July 1, 2001; (c) identification of those specific congregate care sites that are most troubled, with plans for corrective action in place by July 15, 2000; and (d) implementation, by September 15, 2000, of a system of enhanced oversight of congregate care facilities, including unannounced visits by ACS staff.

Working together with contract agencies, advocates, and youth, ACS has developed an appropriate statement of principles governing services to teens and their families. The statement was distributed in a memorandum from the Commissioner on October 31, 2000.

ACS has addressed some of the resources needed by teens and their families as part of its preparation for last year's RFP for foster care services. As a result of those proposals, ACS is developing additional therapeutic foster boarding homes, supervised independent living programs, and congregate care beds for hard-to-place teens, gay and lesbian youth, and teen mothers with babies. ACS is also re-programming some group care beds for specific populations. However, ACS has not developed or made public a resource

development plan specifically identifying the current and projected needs of teens and their families.

We think it would be useful to broaden this discussion. ACS's new statement of principles, cited just above, is a useful beginning of the effort to develop a system that better meets the needs of teens and their families. The next logical step, in our opinion, would be for ACS to identify the strengths and weaknesses of the existing system with regard to those principles, and the changes that will be needed to better carry them out. Some of these changes are likely to involve resources – for example, the identification of foster families able to meet the challenges of caring for adolescents, including those who can meet special needs such as those of mothers with babies and gay or lesbian teens. Others will address the comprehensive service needs of adolescents and their parents, in such diverse areas as more quickly enrolling teens in school and better addressing their educational needs; better involving them in the development and review of their own service plans; improving access to counseling and support services; and strengthening preparation for independent living.

Without clear leadership on this subject, we do not believe this system is likely to get significantly better at keeping teens and their families together, placing teens who must enter foster care with families, and promoting lasting connections with caring adults. Therefore, we believe that this work is necessary if the principles which ACS and its system partners have just developed are to have practical effect.

> *Benchmark #6:* ACS should, by July 1, 2001, issue a public document that (a) describes the strengths and weaknesses of the current system in meeting the needs of adolescents and their families; (b) identifies the most significant changes in policies, procedures, training, and services required to better meet those needs; and (c) provides a detailed plan, with timeframes, for making these changes.

ACS has required corrective action plans of approximately eight congregate care programs, based on concerns identified in program reviews, during the investigation of abuse or neglect allegations, or by community residents. It has also undertaken a plan to strengthen its directly operated congregate facilities through physical plant improvements, substantial staffing increases, the development of new program models, and periodic safety audits by outsiders with expertise in residential services for youth. ACS has also committed itself to conduct unannounced visits to all congregate care programs, yearly for larger facilities, and every other year for smaller ones.

Reimbursement of contract providers. The ability of contract providers to deliver the kind of front line and supervisory practice this system needs is significantly related to the resources available to them. Reimbursement rates vary widely, and we have been particularly concerned about the constraints faced by providers with lower rates. Accordingly, we called on ACS to develop, by October 15, 2000, a plan to significantly enhance the reimbursement paid to lower-rate programs, with those resources to be available by the beginning of the next fiscal year on July 1, 2001.

We believe that ACS's leaders have come to fully understand the importance of this issue and that they are committed to resolving it. The success of their efforts will be significantly affected by negotiations concerning the next New York State budget, for the State fiscal year beginning April 1, 2001. We encourage ACS to work as hard as possible to achieve this goal, with respect to both foster care and preventive services programs. And we call upon the New York State Office of Children and Families to demonstrate to the public its leadership and commitment by successfully advocating for the State resources that, along with additional City and Federal funds, will be needed.

Leadership in resolving Family Court problems. The Panel incorporated in the Initial Report a set of observations about the impact of various Family Court problems on New York's child welfare system. In view of the seriousness of these issues, we recommended that ACS and the leadership of the Court establish, by April 15, 2000, a high-level working group publicly committed to addressing critical issues.

Administrative Judge Joseph Lauria, the senior Family Court official in New York, has invited Joseph Cardieri, the ACS General Counsel, and Monica Drinane, Attorney-in-Charge of the Juvenile Rights Division of the Legal Aid Society, to meet with him regularly to address issues of common concern. Several such meetings have already occurred, and all of the participants believe that they have substantially improved communication and created a forum for addressing important problems. Judge Lauria has also instructed the supervising judges in each borough to meet quarterly with all stakeholders.

The significant reform efforts underway include the following.

The Court expects to add approximately ten additional referees, and 24 case coordinators, within the next several months. This increase in resources will permit implementation of a system in which judges remain responsible for a case from intake to permanency, and are assisted by a referee and a coordinator in calendaring hearings, handling matters that do not require the judge's direct participation, and following up with the parties to ensure that they are prepared for court appearances. It will also make it more feasible for the Court to move to a "linear" case process, in which the same attorneys remain involved from intake until a child returns home or is adopted, and each court proceeding ends with clarity about when the next hearing will take place and what is expected to happen at that time.

ACS and the Criminal Justice Coordinator's Office, along with the Court, are seriously considering a Request for Proposals that would fund a significantly improved system for providing parents with legal representation. The RFP would lead to contracts with one or more organizations to provide continuous representation of parents, with attorneys supported by social work and clerical staff. While various approvals remain before this process can move forward, we view this as a highly encouraging development and commend both ACS and the Court for their leadership in addressing a critical problem.

Judge Lauria has also committed to reduce the length of time it takes for cases to reach disposition, and has asked judges whenever possible to schedule sufficient fixed times, on consecutive or nearly consecutive dates, to complete hearings promptly. As judicial caseloads decline this should become feasible more often.

Finally, under the leadership of Chief Judge Kaye and Judge Lauria, respected judges from the National Council of Juvenile and Family Court Judges conducted weeklong sessions with New York judges in October. Senior ACS staff were invited to make presentations as part of these meetings, which focused on how judges view the strengths and weaknesses of the system and what they can do to strengthen it. Judge Lauria hopes to repeat this work on a broader basis, incorporating other system stakeholders, in 2001.

All of these steps are, in our opinion, promising early indications that the broad and sustained reform of Family Court practices so urgently needed by New York's children and families may be possible to achieve.

Addressing specific court-related concerns. We went on to recommend that ACS, with the cooperation of the court, address three pressing problems, by taking the following actions: (a) by September 15, 2000, implementing a system to ensure that workers appear in court on time and prepared, and to provide feedback when these standards are not met; (b) by September 15, 2000, instituting a system to properly disseminate court orders to the people who must implement them, and to provide feedback when orders are not complied with; and (c) by October 15, 2000, instituting a mutually acceptable standard for calendaring hearings that, at minimum, provides for cases to be scheduled for the morning or the afternoon.

ACS is developing a system for tracking court appearances, and expects it to be in place by January 1, 2001. It has also undertaken a quality assurance review of the process by which caseworkers are prepared for court, and plans to have recommendations from that study by February 15, 2001.

ACS is installing scanning equipment in all five borough Family Courts. The scanners are to be used to enter court orders into the Connections system so they can be e-mailed to all of the workers involved with the case. Equipment is in place in three of the five boroughs, and the process is expected to be operational citywide by January 1, 2001. This system, however, does not permit the aggregation of data, so it will not provide ACS with information about the extent to which court orders are actually obeyed.

> *Benchmark #7:* ACS should, by July 1, 2001, develop an information system that allows it to track the volume and type of court orders issued and the level of compliance with these orders, broken down by contract agency and ACS unit.

The effort to reduce waiting times in court is part of Judge Lauria's broader initiative to achieve consecutive trials and shorter hearings lengths, described above.

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2. General Conclusions and Comments Regarding Good Faith

In the nine months since the Panel issued its Initial Report, ACS has made a series of commitments to increased and improved training that, when fully implemented, have the potential to make a tremendous impact on the quality of front line and supervisory practice in New York City. ACS has also taken significant steps to add clinical resources to strengthen supervision; improve visiting policies and practices; set policy direction for services to adolescents and their families; and address critical issues concerning the reimbursement of contract providers. Taking into account all of these activities, both those already completed and those currently underway and planned, we believe that ACS has acted in good faith in this area.

The large majority of these activities remain in the planning stage, and a great deal of additional work will be required before they are implemented and their impact is felt. It is not too dramatic, we think, to say that the future of New York City's entire reform effort depends on the diligence and creativity with which ACS and its system partners pursue these actions. All of the impressive policy, program, and system changes already made, along with those underway, will have too little impact on the lives of families and children unless they are matched by changes of comparable magnitude in front line and supervisory practice. In Part IV of this report, we attempt to identify the most promising ways for ACS to broaden and strengthen the impact of its reform efforts on the day-to-day relationships between workers and their clients.

Part IV: Remaining Challenges and Proposed Responses

A. Introduction

As the Panel has prepared to complete the tasks assigned to it by the *Marisol* settlement, we have struggled with two sets of questions. The first concern the progress and likely impact of the many changes ACS and its system partners have been working on over the past two years. Our evaluation of those efforts has been the focus of the preceding sections of this Final Report.

We turn now, however, to our other primary concerns, which are oriented to the future rather than the past. As we have met with ACS, contract agencies, advocates, parents, and others, and as we have talked among ourselves, we have continually asked this question: looking forward to the next few years, what are the critical activities that would have the greatest effect in making this child welfare system better for children and families?

The question itself is, of course, a challenge. It suggests that even finishing all the good work already started will not be enough – a belief we think is shared by virtually all of the stakeholders in this system, including ACS leaders, and that does not in any way negate our respect for the accomplishments of the past several years. We have reached two primary conclusions.

First, we believe that the most significant challenge facing this system is to make further, critically needed improvements with regard to permanency. The necessary changes will take many forms: they will help at-risk families stay together; they will make it possible for families with children in foster care to be reunited more quickly; they will better support adoptive parents; and they will make it more likely that teens leaving foster care on their own are connected with caring adults who will help them make the transition to independent adulthood. Second, we believe that the heart of a new system-wide approach to permanency is a re-thinking of the role of parents, around the primary themes of enhanced respect, engagement, and partnership.

In section B of this Part, we present our thoughts on these subjects in greater detail, and in section C we propose two themes for he next phase of ACS's reform efforts, along with concrete steps we believe would be useful in that work.

B. Critical Next Steps for New York City's Child Welfare System

In the Panel's first report, issued in February 1999, we wrote the following with regard to ACS's December, 1996 Reform Plan.

> Although the Plan embraces a number of important organizational, procedural, and programmatic Ainitiatives≅ related to improved permanence, it does not always anchor these initiatives in a clearly expressed commitment to permanency goals, values, practice standards, and outcomes for the city=s child welfare

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> system. When contrasted with the Plan=s robust articulation of child protection and safety goals, the commitments to permanency-focused reform are less developed, less connected, less concrete and less ready for implementation. While this differential in emphasis may well reflect an understandable and defensible calculation of how best to sequence reform, it also runs the unintended risk of signaling an underemphasis on or inattention to aggressively identifying and seizing opportunities to improve permanency outcomes for the children in the city=s care.

Nearly two years later, a good deal has changed. As we noted in earlier sections of this report, ACS has issued clear and useful permanency principles; implemented family case conferences in a variety of settings; begun to reorganize a vast service system along Community District lines; and paid increasing attention to Service Plan Reviews and parent-child visits as critical opportunities to promote permanency. All of these are very important actions that we have applauded before and that continue to impress us.

Nevertheless, we think it fair to conclude that on the front line, where parents encounter caseworkers and caseworkers encounter supervisors, not enough has changed with regard to permanency. Our conversations with parents, advocates, attorneys, caseworkers, and supervisors; our own observations of family case conferences and Service Plan Reviews; the data we have reviewed concerning services to parents, parent-child visits, and parent participation in service planning; the absence of effective legal representation for parents – all of these factors, taken together, have convinced us that this is the area in which major efforts are most needed and are most likely to make real, compelling changes in the lives of the families and children in this system.

We present below a series of observations about the challenges to be met. Before we do so, however, two caveats are in order. First, we do not for a moment suggest that this is a new set of insights gleaned by this Panel. Rather, these are themes we have heard again and again, from thoughtful individuals in ACS, contract agencies, and the Family Court – many of them people in leadership roles - as well as from parents, advocates, and attorneys. Second, we cannot say strongly enough that we present them for the purpose of facilitating further progress, not as an indictment. These problems are present, in greater or lesser form – very often in greater – in virtually every child welfare system we know. Because of the reforms of the past five years, New York City is better positioned than most to take them on.

The goals and basic orientation of the system. We begin our observations with a broad, essential, and familiar concept. A child's ability to grow up in a safe and permanent home, with lasting connections to caring adults, depends fundamentally on the circumstances and capacity of the *adults* in that child's life. We describe the goal of society's interventions with troubled families as "child welfare," but we promote children's well-being first and foremost through our work with adults.

This concept has important implications for work with kinship, foster, and adoptive parents. So, for example, it puts in perspective such varied responsibilities as identifying

and assisting relatives to care for children who must be separated from their parents; providing training and flexible supports to allow foster parents to do their work well; and continuing services to adoptive parents even after the adoption is finalized. It also reminds us of the need to build connections between the adults who are important in a child's life, as embodied in the concepts known as "Family to Family."

At least as important, we think, is the absolutely central role of the birth parent. Most children who are neglected or abused nevertheless remain with one or both of their parents; most children who enter foster care leave it by returning to their own families. In all of these situations, the speed with which the parent's situation improves is the primary factor determining the child's ability to live in a safe environment that can be expected to remain stable until adulthood. (Moreover, ASFA reminds us that concentrated efforts to assist parents are essential even when they prove unsuccessful, because the decision to move to adoption in place of return home as a permanency goal depends, both ethically and legally, on the vigor with which agencies have tried to do this work.) These observations in turn have two critical implications.

First, the *fundamental* intervention this system can make to improve the lives of most of the children it serves is to help make it possible for their parents to overcome the barriers that have kept them from providing a safe and nurturing home. Usually that will involve change in the parent – for example, getting off drugs, or learning more appropriate ways to provide discipline and structure, or getting more connected to neighbors and community supports. Often it will also involve change in the parent's circumstances – for example, finding a more adequate apartment and a route to economic self-sufficiency. To be successful in promoting permanency, a child welfare system must work with parents to facilitate change on both of these fronts.

Second, when children are in foster care, maintaining and strengthening their connection with their birth parents is absolutely essential. Research demonstrates that the families who are most likely to be reunited are those that have maintained the most frequent and substantive contact while separated. Therefore, regular, normalized visits, along with continued parental involvement in the critical activities of childhood (for example, school and medical care) are vital.

In order for a child welfare system to help parents overcome their problems and help them remain connected with their children, *everyone involved must view the entire family as the client*. The child's direct needs – for a safe and appropriate placement, for help in dealing with the traumas that have led to placement and the trauma of separation, and the like – and the needs of kin and foster parents are of course terribly important. But, unless there is equal emphasis on assisting birth parents, and an understanding that parents are necessary and legitimate recipients of services, the child's needs for both safety and permanency cannot be adequately met.

We believe that this is not yet the focus of practice in New York City. Different observers have many theories to explain this, including high caseloads; the time spent doing paperwork or going to court; the concern for meeting children's needs; the

insufficient availability of culturally and linguistically competent services; and judgmental or prejudiced attitudes about parents. Whatever the causes, though, the observable effects include the following.

Lost opportunities for effective service planning. At the heart of the effort to help parents change their capacity and circumstances is a plan tailored to their individual strengths and needs. New York has created opportunities to engage parents and their natural supports (family members, friends, and community service providers) in developing these plans, at child safety and family permanency case conferences, and then to gauge their progress and revise them at semi-annual Service Plan Reviews.

In practice, however, these settings are too rarely used to their full potential. They too rarely start from the parents' strengths; too rarely ask what their goals are and what kind of help they think they need to achieve those goals; too often shy away from the difficult emotional content that must be addressed; and too often present parents with a pre-determined set of services to be agreed to and complied with, rather than using the conference itself as an opportunity to craft an individual plan. In short, these are too rarely settings in which real decisions are made and parents have a voice in shaping those decisions, and too often places in which administrative requirements are complied with.

We understand these difficulties to result from two causes. First, the goals of these meetings and the expectations about what will happen there are not yet sufficiently clear. Second, the staff who take part would benefit from a good deal of help in developing and practicing the skills they need to do this complicated work well. At the end of this section, we propose specific activities to address these needs.

Before we leave this subject, though, we have one further observation, which relates it to the larger questions raised earlier in this section. We have heard again and again that the language commonly used in this system is that parents, along with children older than ten, are "invited" to participate in case conferences and Service Plan Reviews. No doubt this language derives in part from State regulations requiring a written notice to be sent to each participant at least two weeks before SPR's, "...inviting them to attend...and informing them that they may be accompanied by a person(s) of their choice..."[3] Nevertheless, we think it is telling. People are "invited" to events at which their participation is optional, and which will go on whether they are present or not. (No one is "invited" to go to court, or to vote, or to undergo a medical procedure.) Therefore, it is no great surprise that these meetings often proceed without parents (or teenagers who are in foster care), and that, even when the recipients of services are physically present, their participation is often very limited.

If parents are to be in the center of service planning, rather than at its periphery, New York City's child welfare system will have to adopt different language, which describes parental participation in this critical set of decisions as both a right and a responsibility. And it will have to adopt a different set of practices, by which these meetings are scheduled *with* parents (rather than informing them of when they will take place), at

[3] NYCRR 430.12(c)(2)(b)(1)

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times and in locations that make it possible for them to participate, and with the presence of their key supports actively encouraged and facilitated.

Limited engagement of parents. In our Initial Report on Front Line and Supervisory Practice (March, 2000), we made some very broad observations about the limited extent to which this system succeeds in engaging parents. We saw practice that varied very widely, and that included programs and workers who do an extraordinary job of connecting with, encouraging, and advocating for their clients. But we came to believe this practice to be the exception, not the rule, and were more commonly struck by situations in which parents were provided with referrals to services and, if they did not quickly follow up, labeled "non-compliant."

Our recent activities and conversations reinforce these concerns. Our observations of family case conferences and SPR's; the data we have reviewed concerning such issues as the frequency of parent-child visiting, caseworker contacts with parents, and parental involvement in service planning; and the observations of parents, law guardians for children in foster care, and parents' attorneys, all suggest significant problems in these areas. Finally, in reviewing the results from our questionnaire, we were struck by the fact that the questions with the lowest average responses are all related to permanency and to work with families (they addressed the likelihood that a family will get help based on an understanding of its culture, that everyone helping a family will work together as a team, and that a high-risk family will get the help it needs to stay together).

ACS and its system partners are currently making serious efforts to address some critical aspects of parent participation, through such actions as changing visiting policies and encouraging attendance at SPR's. These are important and worthwhile activities. We think it essential, however, to see them in broader context. As ACS recognizes, getting more parents to attend SPR's is related only in part to how the SPR is scheduled; it also depends on what actually happened at the last SPR, and on how the agency has interacted with the parents in the six months since it was conducted. The same argument could be made with regard to visiting.

We believe that the system's success in meeting this larger challenge depends fundamentally on the kinds of relationships with parents it pursues. When parents are expected, encouraged, and supported to play a key role in decisions about their children's futures (even when those children are in foster care); when they are both challenged to do the work they must do in order to be able to provide a safe home for their children, and supported in accomplishing that work; and when they are treated with the respect accorded people who are seen to be facing grave challenges and who are expected to succeed in meeting them, they will be far more deeply involved than when these expectations are absent. In Section C, below, we suggest both a general framework for approaching this issue and some concrete steps by which ACS can promote relationships of this kind.

Finally, we note that one measure of a system's effort to better engage parents is its willingness to hear from parents in roles other than that of recipient of services. On

those occasions when ACS engages parents in discussions of values, principles, policies, and procedures, it sends a powerful message that parents matter. We encourage ACS both to increase the number of occasions on which this kind of contact takes place and to broaden the range of parents who participate. On a daily basis, we expect caseworkers to build relationships even with those parents whose experiences with public systems, including the child welfare system, have left them angry, hurt, or distrustful. Similarly, we think the real challenge for ACS is in building relationships even with those parents who have significant complaints regarding the child welfare system.

Parent representation. In our report on Front Line and Supervisory Practice, we made a number of observations about issues related to the Family Court. None was more critical than the absence of effective representation for parents in legal proceedings in New York City. We noted in Part III what appear to be very promising developments in this regard; we reiterate here our belief that resolving this issue is critical not only to the fundamental fairness of this system, but to children's prospects for permanency. Effective legal counsel can help to ensure that parents do not go without services they need, or are kept from visiting their children as frequently as they should, or have their children's return home from foster care unnecessarily delayed.

C. Proposed Reform Goals and Activities

Here we suggest two new, related themes for the next phase of ACS's system improvement effort, each designed to further the effort to improve prospects for permanency for children. They are

1. building a framework for better engaging and partnering with parents, and
2. strengthening the capacity of front line workers and supervisors to do this work.

For each theme, we propose specific actions for consideration by ACS and its system partners. We then re-visit some of our prior recommendations and re-examine them in the light of the same concepts.

1. Building a framework for engagement and partnership

The first theme is the need for ACS and its system partners to *engage in a broad, sustained effort to improve children's prospects for permanency by better and more respectfully engaging birth parents in service planning; providing them with more flexible and individualized services; furthering their continued connections with their children; and creating and sustaining high expectations for their involvement and progress.* Several of the Panel's prior recommendations, particularly those with regard to visiting, are important to the achievement of this goal. We have three additional specific activities to suggest.

First, we recommend that ACS, working in consultation with parents, their advocates and attorneys, and a broad cross-section of system stakeholders, develop and disseminate a statement of principles delineating the role of parents and the desired relationships

between parents and service providers in New York City's child welfare system. We believe that this work could reasonably be accomplished within the next six months.

In our view, the development of principles has been a useful vehicle by which ACS and its partners have come to a common understanding of the values they mean to have drive practice in this system. The permanency and placement principles communicate themes that are meant to affect many aspects of work, and they provide guidance in the development of new policies and procedures and the modification of old ones. These principles touch on some important issues related to the treatment of parents, but as far as we know those issues have not yet been fully articulated anywhere. Now is the time for a system-wide conversation, resulting in a clear set of expectations about the role of parents. These guidelines should address the issues raised in the previous section of this report, including service planning; casework with parents; and parents' continued presence in the lives of children, including both visiting and participation in ongoing decision-making, among others. They might usefully take the form of a statement of parents' rights and responsibilities. The involvement of parents in helping to develop these guidelines should itself mirror the kind of engagement ACS hopes to see in day-to-day casework.

Second, we think that ACS ought to clarify its expectations regarding family case conferences and Service Plan Reviews, in order to (a) elevate their role as decision-making meetings and (b) promote, through revised expectations, procedures, and scheduling arrangements, the full participation of parents and of children over the age of ten. We believe that this work could be accomplished in three to four months.

In the list below, we use the word "conference" generically, to mean all meetings of this kind, including both family case conferences and SPR's. We suggest that the revised expectations include the following:

- a requirement that each such conference explicitly include consideration of whether there is a safety plan that would make it possible for a child to return home promptly;
- a requirement that each such conference result in a concrete visiting plan that, in keeping with ACS's forthcoming policy regarding visiting, supports frequent parent-child contact with the minimum level of supervision required to ensure safety;
- clear emphasis on the need for service plans to be individualized and *developed at the conference with the full participation of all participants*, not determined beforehand by the Child Evaluation Specialist or foster care caseworker and presented to the family for ratification;
- guidance to ACS and contract agency staff on procedures for scheduling conferences that maximize the likelihood of parents being present and able to participate fully, addressing such issues as where and when conferences are held; transportation and (for parents with some children still at home) babysitting arrangements; the availability of professional translation services for parents who do not speak English well; and encouraging and assisting parents to bring family, friends, or other supports;
- clarification of the role of the various participants at Service Plan Reviews, with particular emphasis on identifying who is to facilitate the conference (a contract

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agency representative, the OCACM worker, or some other party) and what this role entails; and

- ongoing evaluation of conferences that addresses not only who was present, but also whether decisions were actually made and the level of participation of family members.

Finally, we think that ACS should implement procedures to ensure that adequate knowledge of community resources is available at all family case conferences and SPR's. We believe that such procedures could be in place in approximately six months.

ACS has made an enormous investment in the re-configuration of child welfare services along Community District lines. It calculated, we believe quite rightly, that this fundamental transformation would be essential in getting parents the help they need and keeping them connected with their children.

In our view, there is a significant barrier interfering with the realization of full benefits from this change. Perhaps the single critical event around which connections to parents must be built, and upon which the likelihood of success in changing their capacity and circumstances rests, is the development of the initial service plan. Today, that plan is established at the 72-hour child safety case conference, which is a setting in which significant knowledge of the parent's community is unlikely to be represented. The Child Evaluation Specialists who facilitate the conferences were until very recently assigned to cases from an entire borough, and developing knowledge of community resources is not part of their job responsibilities. And, as previously noted, foster care agency workers, who are themselves in many cases just learning neighborhoods to which their agencies were recently assigned, are present at only about half of the conferences. While the recent reassignment of CES's by community district, and the increase in foster care agency participation, are very valuable changes, we do not believe that alone they will have sufficient impact.

Various options are available to ACS to address this issue. One promising approach would be to rely more heavily on ACS's own Family Preservation Program (FPP), which includes staff whose primary responsibility is to develop linkages with community resources for FPP clients. ACS's statistics show that in Queens, FPP staff are regularly invited to conferences (they attend more than half of the child safety conferences in that borough), while this hardly ever happens elsewhere in the City. If attendance is impractical, FPP's community experts could be available to CES's for consultation prior to conferences, or by phone while they are going on. No doubt many other possibilities – for example, the routine participation of local preventive services programs - exist, and there is probably no single right answer applicable in all circumstances. But we think it essential that ACS act to ensure that the people charged with making critical service planning decisions have enough information available to them to do this job well, at both child safety and family permanency case conferences. We encourage ACS and contract agencies to consider similar issues with regard to Service Plan Reviews and ensure that appropriate community knowledge is available to participants there as well.

2. Strengthening front-line capacity for engagement and partnership

The second broad area in which we believe ACS could usefully focus the next phase of the reform effort is a set of actions designed to *strengthen the capacity of front line workers and supervisors to engage parents, plan for services with them, and advocate on their behalf.*

In the last part of this section, we suggested a set of changes in the system's expectations about work with families and a set of institutional arrangements that can further this work. Those changes are necessary, but alone they are not sufficient. Caseworkers and supervisors also need considerable help in developing and practicing the skills they need to build positive relationships with clients who may be angry and resentful; to work together with parents to develop individualized service plans; to help their clients get connected and stay connected with the services they need; and to set high, challenging expectations of parents, communicating honestly about the potential consequences of various courses of action without being punitive.

In our view, the system's success in meeting this complex challenge will rest largely on four areas of work. We highlighted two of these, training and supervision, in our Initial Report on front line and supervisory practice, and we believe that ACS has begun to make progress in each of these areas. As noted in Part III of this report, what we have seen of the forthcoming "common core" training for workers and supervisors is particularly encouraging in this respect. That training is built around the competencies workers need to develop, and it incorporates substantial opportunities to practice skills. Similarly, the training on SPR's that ACS has recently conducted for contract agency and OCACM staff incorporated many of these same desirable features. We encourage ACS to make a substantial effort to provide training of comparable quality and depth to the Child Evaluation Specialists who facilitate family case conferences.

We turn here to the two remaining themes, which are *practice standards* and the *evaluation of practice*. We also addressed these issues in the Initial Report, but in retrospect believe that we did so incompletely and without adequately connecting them to the larger issues at stake. Accordingly, we suggest here two sets of actions that we think would substantially strengthen practice with regard to permanency; we then add our thoughts on a third, related item.

First, we think that ACS should promulgate practice standards related to permanency and coaching tools for supervisors to use in promoting those standards. We think that this work could be accomplished over the period of six months.

Most child welfare systems are governed by many detailed regulations and procedures, describing very specific requirements to be met in each case. In many systems, these rules are the only guidance workers can find about what they are expected to do, and they are provided with virtually no sense of why they are expected to do it. ACS's efforts to

develop formal statements of the values and principles it is committed to are useful precisely because they provide a larger sense of context and purpose that is so often missing in child welfare systems.

What is still lacking, however, is sufficient guidance about *how* workers can build the principles into their day-to-day practice. We can illustrate the distinction with reference to service planning. ACS's permanency guidelines state that "Every child and family must receive an individualized assessment and service plan tailored to their particular needs," and that "Permanency planning for a child begins at intake." These are very appropriate goals. At the other extreme, ACS policies and State regulations describe a variety of specific tasks that are related to these goals – which forms to give parents when children are removed, when and how parents are to be notified about Service Plan Reviews, who must sign various forms, etc. Both of these kinds of communication are useful and necessary, but they are not sufficient to help workers and supervisors connect the system's goals and values to the work they do with clients.

The difficulty for workers and supervisors is that the goals are too general, and the regulations too specific, for either to serve as a useful basis for discussing, coaching, monitoring, and improving practice. "Did you begin permanency planning at intake?" doesn't mean much, and "Did you send out the invitation to the SPR two weeks before the date of the meeting?" is a question about compliance with an administrative requirement, not about practice. By contrast, here are a few examples of practice standards that might be relevant to service planning:

- the worker helps the parents identify the important people who have helped them during past crises, and encourages the parents to bring these people to family case conferences or SPR's;
- the worker identifies, with the parents and their supports, the parents' strengths;
- the worker elicits from the parents their own sense of their most important needs, and their beliefs about what kind of help would be most useful to them in meeting these needs;
- the service plan developed by the team clearly relates the specific services to be provided to the family's major needs.

Statements like these define "good practice" in a way that can be observed by people with experience and judgment. They promote the kind of supervisory coaching that helps practice improve, beginning with questions about how the worker has tried to carry out these standards. We believe that they would be valuable in many areas of practice. In view of the larger issues raised in this section, we encourage ACS and its contract agency partners to begin by defining practice standards with regard to permanency, understood broadly to include such key areas as engaging and developing relationships with parents; service planning; and visiting.

This work, done well, will also call into question many current policies and procedures. Workers and supervisors will identify institutional arrangements that make it difficult to carry out the standards, ranging from caseload sizes to scheduling logistics. ACS and

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contract agencies will not be able to resolve all of these concerns, but taking them seriously is a critical part of the work of building a system that promotes good practice.

Second, we believe that ACS and contract agencies should develop an initial set of indicators of the quality of front line and supervisory practice, and incorporate these indicators into their performance appraisal processes. We think that this could be done in about nine months, that is, three months after the completion of the practice standards.

As we noted in the Initial Report on front line and supervisory practice, ACS has done a remarkable job over the past several years of gathering and using information on staff performance related to compliance with regulatory requirements. So, for example, ACS managers know how well various units, supervisors and workers do in re-certifying foster homes and in submitting legal petitions for the continuation of foster care.

The new evaluation system (EQUIP) devised for contract foster care providers, which we praised earlier in this report, is based on a clear understanding by ACS that this kind of review of compliance is necessary but not sufficient. ACS has built into EQUIP measurements that are related to outcomes and to the services provided by agencies to their clients.

This effort at a broader understanding of the child welfare system's performance has not yet been translated into methods of measuring front line and supervisory practice. We know whether workers submit their Uniform Case Records on time, but not how long the children they are responsible for stay in foster care, or what proportion of the families they serve are successfully reunified, or how many parents in their caseload visit their children regularly, or to what extent the service plans they develop reflect individual needs, to cite just a few examples of kinds of data that might be of interest. We very strongly suspect that, just as there is considerable difference among agencies in all of these areas, there is considerable difference among workers and supervisors *within* each agency and within ACS's direct service units. Knowing those differences, using them to understand where and how practice must be improved, and connecting them to performance evaluations, seem to us to be critical steps in strengthening front line practice in this system. The limitations of existing data systems will no doubt make this a difficult process, but we think that it is well worth undertaking.

We have no "right" list of such indicators to propose. Rather, we encourage ACS to connect this work to our larger theme by identifying, along with its contract agency partners, a preliminary set of variables related to permanency for which it can produce data within the next nine months. This list ought to grow over time.

Finally, we encourage ACS and contract agencies to implement mechanisms by which their senior leaders regularly visit practice settings, participate in family case conferences and Service Plan Reviews, and model for staff and supervisors the kind of practice they wish to encourage. We think that such efforts could be in place within three months.

In the two broad themes set forth in this section, we have proposed that ACS and its partners develop a new model of relating to parents; modify practices around service planning and review; and develop practice standards and evaluation methods to support their goals. These are large changes, meant to affect the work of thousands of people, and they will be successful only to the extent that they are actually adopted by workers and supervisors throughout the system.

We believe that the personal participation of the system's leaders will be essential to that effort. The executive leadership of both ACS and contract agencies have abundant opportunities to demonstrate their commitment to a different kind of practice, and to model what that practice can look like, by their presence in the settings where workers and clients interact. We suggest here not only that the system's leaders visit field sites as often as possible, but also that they attend and participate in family case conferences, service plan reviews, and treatment team meetings. We recognize the additional burden this places on the time of already very busy people, but we think it every bit as important as clearer policies and better training in communicating the importance of developing a different kind of practice. This work will have the added benefit of allowing them to hear more regularly from birth parents, children in care, foster parents, and front line workers and supervisors.

We think it worthwhile to expand briefly on some of the comments and recommendations in our earlier reports and connect them with the themes developed in this section.

Issues of language and culture. Respectful engagement of parents, and the development of individualized service plans, are obviously far more likely when workers understand and value their cultural heritage and can communicate with them in their native language if they are not fluent English speakers. We encourage ACS, contract agencies, and the Family Court to pay close attention to these concerns, and note two examples of areas in which their impact is critical. First, parents who do not speak English well cannot be adequately represented in court unless they have attorneys who speak their native language or consistent access to skilled translators. Second, family case conferences cannot be fully successful unless similar needs for language assistance are met there, and, more broadly, those present know enough about a family's cultural background to inform them as they develop a service plan. Similar issues exist with regard to training curricula and hiring practices, as well as procedures for translating forms and obtaining the services of interpreters.

Permanency as an agenda for all of ACS. In Part III(C), above, we reviewed our comments about the critical need for greater coordination between the protective and preventive services arms of New York's child welfare system. ACS's Division of Child Protection (DCP) is charged with keeping children safe by investigating allegations of abuse or neglect and responding appropriately. Accordingly, ACS has understandably focused enormous resources on training staff to do better investigations and ensuring appropriate management oversight and accountability for this function. But DCP's actions have everything to do with permanency, too. In some circumstances, children

will be able to remain at home with their parents only if DCP is deeply involved in connecting them to preventive services and monitoring their success. In many others, DCP staff will drive key decisions about permanency, including the content of initial service and visiting plans, especially in their roles as facilitators and participants at child safety conferences.

Many of the same issues are present for ACS's Division of Legal Services (DLS). DLS attorneys represent ACS in court, and that very often means exerting their best efforts to convince a judge that parents cannot be trusted with their children. But their work, too, has profound effects on the prospects for permanency of those children, as they help to determine the necessary services, interpret problems in service delivery, and influence judicial decisions on the flexibility with which parent-child visiting will occur.

We believe that the leadership of both DCP and DLS is sensitive to these issues; we think a great deal can be done, through policy communication, training, and supervision, to sensitize the staff of these divisions to the critical importance of permanency, and to ensure that both safety and permanency are the common goals of all parts of the child welfare system.

Services for adolescents and their families. Similarly, we have discussed this area in past reports and reviewed ACS's progress in Part III, Section C. Virtually all of the issues raised above with regard to this system's interaction with parents are equally applicable to its interactions with teenagers in care. Their involvement in planning for their own future, including participation in the development and review of service plans; their continued connection with their families, including younger siblings as well as parents; and the respect with which they are treated, even when they are difficult and challenging, are all critical factors influencing the likelihood that they will achieve good outcomes, whether they return home or leave foster care on their own.

Flexible funding. The effort to develop service plans that are truly tailored to the needs of individual clients depends in part on the availability of funds to meet special needs. In New York City, workers can reasonably assume that funds are available for services like drug treatment and parent training classes, and they use those resources very heavily. By contrast, this system has much less ability to deal with unique or less common problems, or to allow workers to be creative in designing services to meet a family's needs. Developing more flexible funding is therefore an important component of strengthening the work of promoting permanency and engaging families.

Adequate resources for contract providers. Again, we have referred to this issue above. In Periodic Report #3, we spoke of the extent to which ACS has succeeded in winning investments that have enabled it to strengthen its own human resources, in the form of significant salary increases and, in some instances, caseload reductions for its staff. We noted that similar gains would be needed to allow contract providers to participate in this reform effort as fully and effectively as they must if it is to be successful. Another way of conceptualizing this issue is that ACS has been able to make major improvements in the base upon which it builds its efforts to keep children safe. Most people who work in

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protective services in New York City are significantly better trained and better compensated than was the case five years ago, and ACS is rightly proud of the impact of these changes. The same is not yet true for the large majority of the people whose work is focused on permanency – those in preventive services and foster care programs. ACS's success in capturing additional resources to bolster its contract providers is therefore an essential element of its work to further permanency for children in New York.

Appendix:
Data from the Panel's questionnaire on front line and supervisory practice

We received responses from 130 people. Just under half work for ACS, about one-quarter work for contract agencies, and the remaining quarter work for legal or advocacy organizations. (We also have a small number of responses from parents; we include responses from parents in the totals below, but too few parents participated to allow us to compare their responses as a group to those of other groups.) Respondents included caseworkers, supervisors, managers, attorneys, and executives.

The questionnaire includes the fifteen statements listed below, each addressing a specific area of front line practice and supervisory practice, and asks respondents to evaluate their likelihood for each of three time periods – three years ago, today, and two years from now.

1. A child who is abused or neglected will be adequately protected.
2. A child in foster care will get most of the help s/he needs.
3. A high-risk family will get most of the help they need to be able to stay together.
4. A family with children in foster care will get most of the help they need in order to have the children return home.
5. A family will get help based on an understanding of its culture.
6. An individual who does not speak English well will get help from a worker who speaks his or her language, or will have the help of an interpreter.
7. A foster family will get most of the help they need in order to take good care of the foster children.
8. Everyone who works with a family will work together as a team to help them.
9. An ACS worker will have been provided with the training s/he needs to do the job well.
10. A contract agency worker will have been provided with the training s/he needs to do the job well.
11. An ACS worker will have the skills and judgment s/he needs to do the job well.
12. A contract agency worker will have the skills and judgment s/he needs to do the job well.
13. A worker will be provided with clear, consistent policy direction about key issues.
14. A worker will be provided with adequate supervision to guide his or her efforts.
15. A worker will be held accountable and expected to meet high standards of performance.

For each time period, respondents said that they thought this to be (1) very unlikely, (2) pretty unlikely, (3) about as likely as not, (4) pretty likely, or (5) very likely. (Those with less than three years' experience in the system were asked not to respond for the "three years ago" time period.)

We also asked two questions aimed at eliciting general views of system change: "In general, compared to three years ago, how well do you think New York City's child welfare system is working?" and "In general, compared to the way it works now, how

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well do you expect New York City's child welfare system to be working two years from now?" These questions were scored (1) much worse, (2) somewhat worse, (3) about the same, (4) somewhat better, or (5) much better.

(1) Mean Response to All Questions

The data below show the average of the respondents' scores across all questions they answered from the 15 listed above.

	All Responses	ACS Staff	Contract Agency Staff	Advocates etc.
Three years ago	2.76	3.08	2.78	2.12
Today	3.26	3.65	3.22	2.62
Two years from now	3.71	4.19	3.64	2.96
Change past three years	+0.50	+0.57	+0.44	+0.50
Change next two years	+0.45	+0.54	+0.42	+0.34
Change over five years	+0.95	+1.11	+0.86	+0.84

These groups evaluated the *actual performance* of the system quite differently. ACS staff thought that, on average, the system three years ago was "about as likely as not" (mean response = 3.08) to meet the tests laid out in these questions, and that two years from now it will be more than "pretty likely" (mean = 4.19) to do so. Advocates and those who work for legal organizations, on the other hand, thought that three years ago the system was "pretty unlikely" to do well (mean = 2.12), and that two years from now it will be "about as likely as not" (mean = 2.96). The contract agency respondents, taken as a group, were in between these extremes.

However, the perceptions of *improvement* across these three groups were remarkably similar. The average rating for "today" by ACS staff was 0.57 higher than three years ago, only very slightly greater than the 0.50 gain scored by advocates or the 0.44 scored by contract agency staff. All three groups also expect further improvement over the next two years; when the full five year period is considered, even the advocates group rates typical items nearly a full point higher (+0.84).

(2) Responses Regarding Overall System Performance

The responses to the two most general questions, again broken down by category of respondents, were as follows.

In general, how is the system working compared to three years ago?

	ACS	Private Agencies	Advocacy & Legal Organizations
much worse	--	3.4%	11.1%
somewhat worse	--	10.3%	3.7%
about the same	9.8%	20.7%	37.0%
somewhat better	51.0%	55.2%	37.0%
much better	39.2%	10.3%	11.1%
average response	4.29	3.59	3.33

The large majority of ACS staff clearly think that the system as a whole has improved (90.2% rated it at least "somewhat better), as do most (65.5%) of the private agency respondents. Just under half (48.1%) of legal and advocacy organization respondents think things are better, 37.0% of this group think they are the same, and 14.8% think things are worse.

In general, how well do you expect the system to be working two years from now?

	ACS	Private Agencies	Advocacy & Legal Organizations
much worse	--	--	--
somewhat worse	--	--	6.7%
about the same	18.2%	33.3%	30.3%
somewhat better	18.2%	57.6%	43.3%
much better	63.6%	9.1%	16.7%
average response	4.45	3.76	3.70

Again, ACS staff overwhelmingly think that things will continue to get better, and here there is a striking plurality who believe that they will be "much better." The other two groups also have majorities who expect improvement, but with many more respondents choosing "somewhat better" rather than "much better."

(3) Responses to the 15 Specific Questions

The average responses for each of the 15 questions, in each of the three time periods, are shown in the table on the next page. We caution again that the respondents were not a random sample of system participants; had we surveyed a different mix of ACS, contract agency, and advocacy organization staff, the figures below would likely have been different. Accordingly, we find this table interesting primarily for the *comparison* between items; we would be reluctant to generalize based on the scores themselves.

	3 years ago	today	2 years from now
1. Child who is abused or neglected will be adequately protected.	3.49	3.84	4.08
2. Child in foster care will have most needs met.	2.59	3.09	3.59
3. High-risk family will get most help they need to stay together.	2.66	3.04	3.50
4. Family with kids in foster care will get most help they need to have kids return home.	2.70	3.27	3.66
5. Family will get help based on understanding of its culture.	2.12	2.83	3.33
6. Individual who doesn't speak English will get help in own language or an interpreter.	2.47	3.32	3.70
7. Foster family will get most help they need to care for children.	3.10	3.51	3.88
8. Everyone who works with family will work together as a team.	2.37	2.95	3.51
9. ACS worker will have training s/he needs to do job well.	2.35	3.23	3.70
10. Contract agency worker will have training s/he needs to do job well.	2.61	3.13	3.50
11. ACS worker will have skills & judgment to do job well.	2.69	3.27	3.88
12. Contract agency worker will have skills & judgment to do job well.	2.90	3.33	3.81
13. Workers will get clear, consistent direction re policy.	2.60	3.14	3.62
14. Worker will get adequate supervision to guide efforts.	2.82	3.41	3.79
15. Worker will be held accountable and expected to meet high standards.	2.77	3.57	3.90

In terms of current performance, the highest average scores were for the following questions.

--likelihood that a child who is abused or neglected will be adequately protected	3.84
--likelihood that a worker will be held accountable and to high standards	3.57
--likelihood that a foster family will get the help it needs	3.51

The lowest average scores were for the following questions.

--likelihood that a family will get help based on understanding of its culture	2.83
--likelihood that everyone helping a family will work together as a team	2.95
--likelihood that a high-risk family will get help it needs to stay together	3.04

A copy of the survey instrument follows.

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Special Child Welfare Advisory Panel

The purpose of this questionnaire is to provide information about the impressions of people who are knowledgeable about New York City's child welfare system. The survey is anonymous, and your answers will not be connected to you in any way. Thank you for your assistance.

I. Background Questions

Please check the appropriate box for each question

1. I have been familiar with the New York City child welfare system for:
- ☐ less than 3 years
- ☐ between 3 years and 6 years
- ☐ between 6 years and 10 years
- ☐ more than 10 years

2. I work for:
- ☐ the Administration for Children's Services (ACS)
- ☐ a private agency that provides foster care or preventive services
- ☐ an organization that provides legal representation (e.g. Legal Aid, Legal Services)
- ☐ an advocacy organization
- ☐ other (please describe the type of organization: _____)
- ☐ I'm a birth parent or relative, not an employee in the system

3. My primary responsibility is as:
- ☐ a birth parent or relative
- ☐ a foster parent
- ☐ a caseworker, social worker, or case aide
- ☐ an attorney
- ☐ a supervisor
- ☐ a program director or manager
- ☐ an executive
- ☐ other (please describe: _____)

4. Based on my personal experience, I am most knowledgeable about (please check all that apply):
- ☐ child protective services
- ☐ foster care
- ☐ preventive services
- ☐ other (please describe: _____)

II. View of Changes in Specific Areas

The questions below ask for *your opinion* about important aspects of New York City's child welfare system. For each question, please circle one number *in each column*, next to the choice that comes closest to what you think.

- The first column asks how well you think things were working three years ago. *If you have worked in or been familiar with the system for less than three years, please leave this column blank.*
- The second column asks how well you think things are working today.
- The third column asks how well you think things will be working two years from now.

Statement	How likely was it *three years ago*?	How likely is it *today*?	How likely will it be *two years from now*?
1. A child who is abused or neglected will be adequately protected.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion
2. A child in foster care will get most of the help s/he needs.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion
3. A high-risk family will get most of the help they need to be able to stay together.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion
4. A family with children in foster care will get most of the help they need in order to have the children return home.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know / no opinion

Statement	How likely was it *three years ago*?	How likely is it *today*?	How likely will it be *two years from now*?
5. A family will get help based on an understanding of its culture.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
6. An individual who does not speak English well will get help from a worker who speaks his or her language or will have the help of an interpreter.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
7. A foster family will get most of the help they need in order to take good care of the foster children.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
8. Everyone who works with a family will work together as a team to help them.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
9. An ACS worker will have been provided with the training s/he needs to do the job well.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
10. A contract agency worker* will have been provided with the training s/he needs to do the job well.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion

* A worker in one of the private, non-profit agencies that ACS contracts with to provide foster care or preventive services.

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Statement	How likely was it *three years ago*?	How likely is it *today*?	How likely will it be *two years from now*?
11. An ACS worker will have the skills and judgment s/he needs to do the job well.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
12. A contract agency worker will have the skills and judgment s/he needs to do the job well.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
13. A worker will be provided with clear, consistent policy direction about key issues.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
14. A worker will be provided with adequate supervision to guide his or her efforts.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion
15. A worker will be held accountable and expected to meet high standards of performance.	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion	1 very unlikely 2 pretty unlikely 3 about as likely as not 4 pretty likely 5 very likely 0 don't know /no opinion

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III. View of Overall Change and Expectations for the Future

Please circle the number above the choice that comes closest to what you think. *(If you have worked in or been familiar with the system for less than three years, please answer only question 4 on this page.)*

1. In the past three years, how many changes in ACS policies and operations have you noticed?

1	2	3	0
no changes	some changes	many changes	don't know/no opinion

2. How have these changes affected your ability to do your job well?

1	2	3	0
made it harder	have not had any effect	made it easier	don't know/no opinion

3. In general, compared to three years ago, how well do you think New York City's child welfare system is working?

1	2	3	4	5	0
much worse	somewhat worse	about the same	somewhat better	much better	don't know/ no opinion

4. In general, compared to the way it works now, how well do you expect New York City's child welfare system to be working two years from now?

1	2	3	4	5	0
much worse	somewhat worse	about the same	somewhat better	much better	don't know/ no opinion

Please feel free to add any comments, or to give us your opinion on issues you think are important that were not addressed by these questions, in the space below; continue on the back of the page if necessary.

Thank you for completing this questionnaire. Please return it to the person who distributed it.

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